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Law and Philosophy

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IT is no longer news that law has lost its connection with philosophy. In place of its traditional foundations of morals and metaphysics, it now rests either on some pragmatic expediency or on an historic evolution evidenced by custom, or it is deemed to consist of nothing but facts and therefore rests on no basis at all.

Complaints emanate from both

sides of the Atlantic. From England, Pollock observes that "the besetting danger of modern law is the tendency of complex facts and minute legislation to leave no room for natural growth, and to choke out the life of principles under a weight of dead matter which posterity may think no better than a rubbish heap."¹

The late Justice Cardozo similarly complained of "the absence of an at-

¹ Sir Frederick Pollock, *The Expansion of the Common Law* (London, Stevens and Sons, Limited, 1904) p. 8.

A reverberation of this complaint is found in the following passage from the writings of Professor Carleton Kemp Allen of Oxford: "... in our attempt to set the standard of law by its recognition of interests and the satisfaction of wants, we come back in the last resort to the position that justice is the highest, the most certain, and assuredly the most durable interest of all. Amid the clamor of multiplying and contending interests, the quiet voice of the philosopher, reminding us of such elementary principles as justice and liberty, may teach us more wisdom and resolve more of our doubts than the statistician, the fact-finder and the whole teeming multitude of -ologists. Justice is, heaven knows, imperfect enough in its applications, but at least it is
an ever-fixed mark

That looks on tempests, and is never shaken.

It is the abstract meditations of the thinkers, even more than the trials and errors of the doers, which help to keep that mark steady and to send its guiding beams across troubled waters; ... " Interpretations of Modern Legal Philosophies, *Essays in Honor of Roscoe Pound* (N. Y., Oxford University Press, 1947) pp. 27, 28.

* 56 Sparks St., Ottawa, Ont., Canada, August-September, 1948

tempt to reach an agreement about the things that in truth are fundamental," so that, as he said, for lack of an accepted philosophy of law our judges are deprived of "the underlying and controlling principles that are to shape the manner of their judging."² And with equal realism, the distinguished former Editor of the Canadian Bar Review, the late Dr. Charles Morse, asked "whether now is not a convenient season for common lawyers to take Philosophy out of the stable, to which we have seen her consigned, and try her quality on the road of law reform. . . ?"³

As might be suspected, this divorce of law from philosophy is not a unique phenomenon. For law is a part of a culture. Indeed, it is more a reflection of a culture than a determinant of it. Its influence in shaping the times is immense, but its institutions, like those of politics and economics, are expressions of elements which lie deeper in the thought content of the age. In other words, the laws of a society are in large part the badges or insignia of the underlying attitude toward life and the world which is prevalent in that society. From this it is clear that no portrait of legal processes and institutions is adequate without relating these features in some degree to what is basic in the spirit of the times.

The prevailing characteristic of modern times is a tendency toward disintegration. It is an anti-synthetic

movement, which tends to break down instead of build up, to take apart instead of put together. It applies both to society and to persons. In the social order its emphasis is atomic rather than organic; individualistic rather than corporate; provincial rather than universal. In the case of persons, it is reflected in a subjectivity which regards truth more as a matter of individual opinion than of something anchored in objective reality. The result is a pervading formlessness which characterizes both our institutions and our ideas.

EVIDENCE OF DISINTEGRATION

If we look first at our institutions, the evidence of this disintegration is widespread and overwhelming. On the worldwide scene, it is evidenced by a nationalism which has cut the world up into a multitude of political units breathing forth the spirit of external sovereignty and war. Ethnologically, the characteristic is a similar separatism which manifests itself in a maniacal exaltation of one race, and a demoniac savagery toward another. In economic life, the emphasis has been on class, with its wolf-like struggle for supremacy carried on under the hands-off political quietism called *laissez faire*. More startling still, the spirit of dissolution has invaded the unit of society, the family, which has passed through a transition from a status generally recognized as permanent to one increas-

² Benjamin N. Cardozo, in a review of *Interpretations of Legal History* by Roscoe Pound, (1923), 37 *Harvard Law Review*, 283.

³ (1945), 23 *Can. Bar Rev.* 805.

ingly conceived as based upon little more than daily mutual consent. The same breakdown is reflected in education, where—at least in the United States—the various disciplines have become so widely separated that it is said that there are few college professors who could pass one another's examinations, and in one of the foremost American universities it has been found necessary to create a department whose object is to make the other departments acquainted with one another. And these disruptions in our natural institutions have their counterpart in religion, where individualism as a conscious principle is naturally accompanied by an ever increasing multitude of creeds and sects.

On the theoretic side, the evidence of disintegration is equally impressive. The fundamental ideological breakdown has consisted in the dissolution of the trilogy of science, philosophy and theology.

THREE METHODS OF KNOWLEDGE

In its traditional significance, this trilogy has constituted the three methods of knowledge, which are in a hierarchical order based upon the nature of their objects. First, there is science, which has to do with the regularities observable in phenomena. It lies at the foot of the hierarchy, because it is exclusively concerned with *how* things act, not *why*, and therefore does not include the element of value. Moreover, by the very nature of the scientific method its conclusions are tentative and un-

certain. This is so because its subject matter consists of facts, and since facts are endless they are incapable of being known in their totality. Thus today's scientific conclusions are subject to being superseded by tomorrow's discoveries, and they in turn by the ever expanding process of hypothesis and verification.

Next is philosophy, which, though it has its origin in experience, goes beyond experience to what is ultimate in things. In contrast to the observable and contingent phenomena which are the objects of the scientific method, the concern of the philosopher is with the innermost or substantial aspects of reality, such as essences and natures, ends and purposes. It is in this substratum that the key to values is to be found. For example, the substratum is the clue to the good, both the individual good and the common good. For the fundamental question of value is: what is the good of the person and of society? And the answer is that it is the object of *natural* desire or inclination. The key to the problem therefore is nature, which is a metaphysical entity. In other words, what is good for man is that which is appropriate to his nature, and his nature is that essential aspect of him whereby he is destined for the perfection which is proper to him, a perfection which is the fulfillment of his human potentialities, his destiny as a human being.

Finally, there is theology, the science of God and of man's relation to God. As method of knowledge, theology is distinguished from philosophy by the fact that its premises are the

result of Divine revelation instead of human reason and it deals with the supernatural rather than the natural. These distinctions place it at the top of the hierarchy for all those who, because of their participation in the Judaic or Christian traditions, accept the fact of revelation and its supernatural import.

NATURALISM

The breakdown of the trilogy began at the top. It began with a naturalism which erased theology from the hierarchy, leaving man to his own devices of philosophy and science. Considered in itself and without regard for the indirect effect of the discarding of the supernatural, philosophy is capable of sustaining an integrity in natural morals and the social sciences because of its overall view of reality and because of the fact, long recognized in theology, that the effect of the supernatural is not to destroy nature but to perfect it. But that is only a partial view. Regarded as a whole, and from the viewpoint of history, man's philosophical habits exhibit a vagrant and disintegrating tendency when deprived of the accompanying orientations of theology. It is not that the intellect is incapable of attaining the truth. It is that the whole truth is not present at a given time or to a given mind.

This fact is reflected throughout western thought, from the early Greeks to modern times. It appears

in the plaintive resignation of Plato who, speaking through the Athenian youth Simmias in response to the arguments of Socrates regarding the immortality of the soul, says:

I feel myself (and I daresay that you have the same feeling), how hard or rather impossible is the attainment of any certainty about questions such as these in the present life. And yet I should deem him a coward who did not prove what is said about them to the uttermost, or whose heart failed him before he had examined them on every side. For he should persevere until he has achieved one of two things: either he should discover, or be taught the truth about them; or, if this be impossible, I would have him take the best and most irrefragable of human theories, and let this be the raft upon which he sails through life—not without risk, as I admit, if he cannot find some word of God which will more surely and safely carry him.⁴

This passage, which from the Christian viewpoint might be called a pagan prophecy of the Incarnation, finds its modern accompaniment in the commentaries of Blackstone, whose orthodoxy sounds so strangely outmoded in an age of naturalism. In his discussion of the natural law, for example, Blackstone says:

... if our reason were always, as in our first ancestor before his transgression, clear and perfect, unruffled by passions, unclouded by prejudice, unimpaired by disease or intemperance, the task would be pleasant and easy; we should need no other guide but this. But every man now finds the

⁴ *Phaedo, The Dialogues of Plato*. Translated into English by B. Jowett (London, Oxford University Press, 3rd ed.) p. 229.

contrary in his own experience; that his reason is corrupt, and his understanding full of ignorance and error.

This has given manifold occasion for the benign interposition of divine Providence, which, in compassion to the frailty, the imperfection, and the blindness of human reason, hath been pleased, at sundry times and in divers manners, to discover and enforce its laws by an immediate and direct revelation. The doctrines thus delivered we call the revealed or divine law, and they are to be found only in the holy scriptures.⁵

At any rate, the burden on philosophy was too great, and with the breakdown of theology, philosophy too gave way and crumbled.

PHILOSOPHY TODAY?

The question will immediately be asked: what, is there no philosophy today? are there no philosophers? The answer is that the prevailing philosophy is one which is limited to the systematic arrangement of the propositions of empirical science and which strenuously rejects, as invalid or superfluous, the metaphysical aspects of being and nature. It has many variations but they all join in the common doctrine that the only valid or meaningful knowledge is scientific knowledge, a knowledge of positive facts and of the uniformities discoverable in facts. From this it gets its name of *positivism*.

Because of its fundamental limitation, it is not only naturalistic but also monistic; to it, all dualisms are dead. Cause and effect, means and

ends, matter and spirit, are logical playthings with no counterpart in reality. Since there are no such things as essential natures, there is no essential difference between man and brute, but only quantitative variations. Since there is no final end, there is neither goal nor direction of human life but only a multitude of immediate situations, which, moreover, are but outgrowths of the antecedents, leaving all observed order, all sciences, all physical experiments that discover aspects of teleology in nature, not on the foundation of means and a Final Cause, but on the irrational assumption of chance. And since all knowledge is limited to phenomena, there are no underlying absolutes, and there is no certainty except the dogmatic affirmation that there is no certainty, an affirmation which for American positivists found its testament in a scrap of paper discovered near the death-bed of William James of Harvard: "There is no conclusion; what is concluded that we might conclude in regard to it? There are no fortunes to be told, and there is no advice to be given. Farewell."

EFFECT ON SOCIAL SCIENCES

The effect of this positivism on the social sciences is profoundly catastrophic. The reason is that with the elimination of finality—that is, of an ultimate end and of an essential nature inherently disposed toward that end—there is automatically removed

⁵ *Commentaries on the Laws of England*, Introduction, Sec. II, pars. 41, 42.

the only possible basis for the good of human life and the only warranty for the dignity of human personality. This is so because the good cannot be found in mere facts, however carefully observed and verified and however skillfully arranged. The test of goodness lies in the fitness of means for end. If there is no end, there is no goodness. By the same token, if there is no essential difference between man and other creatures, there is no basis for moral distinction, in which case, just as a man may with impunity destroy an animal, so a strong man should with equal impunity destroy a weaker one.

Moreover, if there be no absolute, but if the relativity recently attributed to the physical world be applied to moral and social life, then there is chaos infinitely compounded. In fact, a universal relativity consisting of an infinite regression of relatives from one to another without an ultimate which is relative to nothing further is unthinkable. Upon the exclusively relativist view, therefore, nature and society are fundamentally irrational, and the field of action is left open to irresponsible will and force.

DISINTEGRATION VERIFIED

If from this general view of the disintegrated state of western culture we turn to law, our forebodings are verified by what we find.

We need not dwell upon the verifications which are contained in those monstrous modern regimes of force and violence—some of them crushed,

some surviving—in which law has not dared to raise its head. In these regimes, the relentless application of irrational concepts of state or class or race supremacy has either resulted in the suspension of legal processes, or, what is worse, has applied the name of law to shameless official savagery.

What is more to the point is the state of the law in the free countries. The question is whether the legal systems of those countries reflect the general disintegrating tendencies of western culture as a whole.

Offhand, law in the democracies would seem to have escaped the general trend. The courts are open. The common law survives. Magna Carta is revered, and fundamental rights are emblazoned in constitutions. But as indicated at the opening of this article, law has become orphaned from philosophy; and thereby our legal systems have taken the first step in that process of disintegration which characterizes our culture as a whole.

The disintegrating process in the case of law has followed the same pattern as in the other fields. Upon the removal of the integrating influence of philosophy, jurisprudence has been shattered into a multitude of schools based upon a great variety of postulates. This variety may be illustrated by reference to three of the more influential types of thinking.

The first is the so-called realism which regards law as a closed system of pure fact from which all norms and values are rigidly excluded. A typical example of this is analytical jurisprudence, which views laws sim-

ply as commands and which limits legal science to placing in order the multitude of laws and decisions to serve as a pattern for future lawmaking. Of this process, an author comments:

Analytical Jurisprudence does not create its premises; these premises are furnished by the law itself. It is the function of Analytical Jurisprudence to accept these premises and to decompose them into their final atomic elements in an organized juristic system.⁶

Another example of legal realism exists in the case of an influential legal writer who with commendable consistency declares himself in these frank terms:

Legal writers maintain that the law-maker should be led by justice and that the courts have to "administer justice," i.e. realize this justice. Such assertions are in jurisprudence by no means regarded only as empty phrases, but as founded on facts. However, they are not founded on facts, but are completely senseless. . . . There is no justice. Neither is there any objective "ought," consequently neither any material law, i.e. legal commands. Thus the entire legal ideology—including

legal rights and duties, wrongfulness and lawfulness—goes up in smoke.⁷

A similar antipathy against norms is found in the writings of the late Justice Oliver Wendell Holmes. Justice Holmes defined law as "a statement of the circumstances, in which the public force will be brought to bear upon men through the courts."⁸ This factual vision of the law is a logical outgrowth of his repudiation of essences. In this respect, he is rigidly positivistic, for he says, "I see no reason for attributing to man a significance different in kind from that which belongs to a baboon or to a grain of sand."⁹ Accordingly he says that a "right" is an "empty substratum" which we get up "to pretend to account for the fact that the courts will act in a certain way."¹⁰ Therefore he says that he does not believe it is an absolute principle "that man always is an end in himself—that his dignity must be respected, etc.";¹¹ that to him the *ultima ratio* is "force";¹² and that "when it comes to the development of a *corpus juris* the ultimate question is what do the dominant forces of the community want and do they want it hard

⁶ Albert Kocourek, *An Introduction to the Science of Law* (Boston, Little, Brown and Company, 1930) p. 26.

⁷ Vilhelm Lunstedt, *Law and Justice: A Criticism of the Method of Justice, in Interpretations of Modern Legal Philosophies, Essays in Honor of Roscoe Pound* (N. Y., Oxford University Press, 1947) pp. 450, 451.

⁸ *American Banana Company v. United Fruit Company*, 213 U.S. 347, at p. 356.

⁹ *Holmes-Pollock Letters* (Cambridge, Mass., Harvard University Press, 1944) Vol. 2, p. 252.

¹⁰ *Op. cit.*, Vol. 2, p. 212.

¹¹ Harry C. Shriver, *Justice Oliver Wendell Holmes: His Book Notices and Uncollected Letters and Papers* (N. Y., Central Book Co., 1936) p. 187.

¹² *Holmes-Pollock Letters* (Cambridge, Mass., Harvard University Press, 1944) Vol. 2, p. 36.

enough to disregard whatever inhibitions may stand in the way."¹³

The second is the historical school, which looks beyond law as fact, but in its reaction against abuses of natural-law theory prefers to find the source of law in the common consciousness of the people as disclosed in custom. The provocative abuse consisted of the ill-conceived attempt by some natural-law thinkers to deduce by reason from first principles a whole *corpus juris* complete in detail and applicable to all times and places. That natural law is open to no such deduction made this a tragic betrayal of natural-law theory and drove adherents from it in search of new foundations for law. For such a new foundation, the historical school seized upon a fact, namely, the influence of custom on lawmaking, and, looking beyond custom to the folk-spirit which animated it, elevated that spirit to the place of primacy in the whole field of law. Prompted no doubt by a caricature of nature, it revolted against the idea of nature itself. But it felt the need of a norm. And it found such a norm in what seemed to be a semi-mystic, internally operating evolution by which a people's destiny is unfolded. This silently operating evolution was the source of all laws and human rights, and against it the human will should create no law which might

stand in the way. It is typical of the disruption of tradition in its rejection of the objective nature of man and society as the basis of justice and fundamental right and in its identification of law with such a provincial thing as national spirit.

A third modern attitude toward law consists of various theories which may be generally classed as pragmatic. This doctrine is described by William James as anti-intellectualist in that it appeals always to particular facts, emphasizes practical utility and disdains metaphysics as mere verbal unreality.¹⁴ It is a pluralism which ignores all philosophic unification, because it looks away from "first things, principles, 'categories', supposed necessities," and looks towards "last things, fruits, consequences, facts."¹⁵ Truth is what leads to other parts of experience with which we feel that our original ideas are in agreement. As William James put it: "The true" . . . is only the expedient in the way of our thinking, just as 'the right' is only the expedient in the way of our behaving."¹⁶

The effect of pragmatism upon morals and law is to create a chaos among means for lack of an end. It is not that the pragmatist has no end or purpose in action. The human mind and will are so constituted that a human act necessarily includes purpose. Only unconscious or insane

¹³ Harry C. Shriver, *Justice Oliver Wendell Holmes: His Book Notices and Uncollected Letters and Papers* (N. Y., Central Book Co., 1936) p. 187.

¹⁴ *Pragmatism: A New Name for Some Old Ways of Thinking* (N. Y., Longmans, Green and Co., 1921) pp. 53, 54.

¹⁵ William James, *op. cit.*, p. 55.

¹⁶ *Op. cit.*, p. 222.

acts are without purpose. But the pragmatist end is not a true end because it includes neither finality nor objectivity. Its end is the useful; but usefulness is a quality of means, and the question remains, *useful for what?* Its end is also happiness; but happiness is a subjective quality, and the question remains, *what produces happiness?* To attempt to construct a philosophy of life within a closed circle of means and subjective states leads inevitably to that tragic last testament of James: "There are no fortunes to be told, and there is no advice to be given. Farewell."

Here is the supreme depth of our cultural disintegration, the end product of that dissolution of science, philosophy and religion, under the influence of which good men struggle to cure the ills of society but because of their intellectual nihilism struggle in vain. It is in this setting that the great instrumentality of the law now wields its mighty influence among the lives of men. For us lawyers, the question intrudes through all our other preoccupations: What will the future of this great instrumentality be?

ORDER OUT OF CHAOS

Chaos is intolerable. It must be replaced by order.

The signs of this necessity are already evident in present-day life, wherein the reaction against the modern chaos in our institutions has already begun. Irresponsible nationalism has run its course, and there is a beginning recognition of the neces-

sity for world organization. The old *laissez-faire* economy is yielding to increased regulation. The threat of family destruction is beginning to produce cries of alarm, even from the pragmatists. Minority races are insisting on removal of the yoke of discrimination. Education is looking for formulas for reintegration. And in August of this year there was held a world congress for unification of religious sects.

However, the fact that chaos is being replaced by order is not necessarily ground for reassurance. Order eventually comes, because it is demanded by the exigencies of life. But there are two kinds of order. There is an order of force and an order of ideas, an order of will and an order of reason. Under Fascist Italy, the trains began to come in on time, but freedom was running out. Some people took heart at the appearance of orderliness, but they failed to detect the tragic disorder beneath the surface.

The disruption in legal theory will be removed when it is again recognized that law is rooted in morals. But that will not be until it is also recognized that morals are rooted in metaphysics. This is merely to say that law is normative or it is force. And if it is to be normative, there is only one norm, and that is the natural law—the law of man's nature—whereby those things alone are good which conform with that nature.

The effort to cut short of this norm has bred a false disjunctive in legal theory by which the schools of thought are frequently classified as

philosophical, analytical, historical or pragmatic. A philosophy of law which recognizes the relationship of law to morals and metaphysics includes, rather than stands as an alternate to, the elements of truth in the other three doctrines. It includes the truth of analytical jurisprudence that laws are facts, and of the historical school that laws are influenced by custom, and of pragmatism that there is a correlation between utility and the good. But it rebels against the claims of these schools that they constitute any more than a part of the truth about law, and it demonstrates that these schools are not strictly philosophy of law because they do not attain to what is truly ultimate in it.

Any hope of reform in legal theory, therefore, will depend upon a philosophical reintegration which will restore law to its natural foundation. The beginnings of this foundation were laid by the early Greeks. That achievement was furthered by the legal genius of ancient Rome. It was extended and developed by the great mediæval philosophers. It flourished in the modern law of nations. Then it became the victim of misconception and abuse, scandalizing the subsequent age into protest and dissent.

THEORY AND EXPERIENCE

If the present age could reexamine the core of the natural-law doctrine, stripped of its spurious trappings, it would surely be a fresh beginning in that perennial synthesizing of theory and experience known as jurispru-

dence. It would recognize that the making of law is an art, the art of prudence, by which, with due regard for existing circumstances, and for the time being, a particular form is given to principles and precepts which spring from the nature of man and society. The principles are the first principles of man's practical reason: seek the common good, or, do good to others, harm no one, and render to each his own. From these principles are necessarily and immediately deduced the precepts: for the individual, do not kill, or steal or slander, bear your share of the burdens of society, and so on; for the state, foster and protect those rights of the individuals which are necessary for their self-realization as human beings. Surely this is the solid ground of the law and the source of its reintegration.

The reintegration will come, because it is grounded in reason, and reason is historically recurrent. It will come when philosophy resumes its place with science for the assaying of true knowledge. Will that take place without a restoration of theology as the highest discipline? There is no limitation in the philosophic method itself which would prevent such a result; but considering human minds as they are, our reflections go back to the gentle skepticism of Plato and the sharper strictures of Blackstone, and when they do, they evoke a question which for Christians generally may find its answer in the well-known passage from St. Thomas Aquinas:

It was necessary for man's salvation

that beyond the physical sciences, which are sought out by human reason, there be some doctrine revealed by God Himself. First, because man is ordained to God as to an end that exceeds the comprehension of his reason: "The eye hath not seen besides Thee, O God, what things Thou hast prepared for them that wait for Thee" (Isaias 64:4). It needs must be that the end be foreknown to the men who are to order their minds and their deeds to that end. Hence for man's salvation it was necessary that certain things that exceed human reason be made known to him by divine revelation. Even in the case of those truths about God that human reason can search out, it was necessary for man to be instructed by divine revelation, for the truth about God searched out by human reason could be attained only by a few men, after a long time, and with an admixture of many errors, whereas man's whole salvation depends on a knowledge of that truth which is in God. Hence that salvation might come to men more fitly and securely, it was necessary that they be taught by divine revelation. Therefore, beyond the philosophical sciences, which are investigated by human reason, it was necessary that sacred science be known through divine revelation.¹⁷

For those who do not share the Christian faith, the foregoing passage will be devoid of reality. But for those who do share that faith and who recognize the part that that faith has played in the genesis and growth of western civilization, it will be a reminder of the fact that without re-

ligion there is no guarantee of either intellectual or moral integrity.

The problem which faces law, therefore, is a part of the larger problem which faces our entire culture. It is the problem of putting together again the shattered parts of that culture, so as to give that wholeness of view which charts the course for a truly human life.

This implies no effort to reconstruct any previous regime; nor does it imply that the last word has been said upon anything. On the contrary, it implies an ordered view of man and nature which is the necessary prelude to any genuine progress.

Above all, it implies the establishment of ends for the rational marshalling of the means of science. It is this cultural need which the noted Vice-Chancellor of the University of Oxford, Sir Richard Livingstone, had in mind when he wrote:

If you want a description of our age, here is one. The civilization of means without ends; rich in means beyond any other epoch, and almost beyond human needs; squandering and misusing them, because it has no overruling ideal: an ample body with a meagre soul.¹⁸

The overruling ideal is the joint product of philosophy and religion. Not until that ideal is restored will the world be at peace. Not until it is restored will law possess the framework within which it can securely operate as an instrument of justice and human welfare.

¹⁷ *Summa Theologica*, Part I, Q. 1 a. 1.

¹⁸ *On Education* (N. Y., The Macmillan Company, 1944) p. 118.

The Priest in the Social Apostolate

L. L. McREAVY

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THERE are three ways in which the priest can play his part in the social apostolate: as a teacher of social principles, as a trainer of social apostles and as an active member of the social community.

The priest, as a priest, is primarily a teacher, a preacher of the word. And whatever else he does, he must not neglect this doctrinal function. Christ's command to him is "Go ye and teach." The priest is the official annointed custodian of the God-given principles from which we start, and his primary duty will always be to proclaim and expound them and to safeguard their purity.

But as we have learned from hard experience, it is not enough simply to proclaim and expound general principles. If they are to strike the eye and win the heart of the masses, they must be put into practice in the different social milieux by men who, to quote *Divini Redemptoris*, "live in the same cultural atmosphere and share the same way of life." It is evident that the priest has less scope than laymen for this kind of direct action, nor does the Church normally encourage him to attempt it, as can be seen from the recent letter of the French Bishops about priests working in factories. "The first and immediate apostles of the workingmen must themselves be workingmen,"

said Pius XI in *Quadragesimo Anno*.

Yet if this is normally the case for the priest as such, nevertheless it is certainly part of his pastoral charge to train the laymen on whom this mission devolves. And these men, if they are to succeed, must operate like commandos. And here let us notice one of the lessons of the recent war, that you cannot train efficient commandos by schoolroom and text-book methods alone: they need battle practice!

The priest, therefore, must do much more than analyze social encyclicals to study groups. He must put them through practical exercises, which means that he must familiarize himself with the concrete social problems that his trainees will have to face in their respective environment and not be afraid to attempt a solution of them on the basis of his principles. In a mining area, for example, he must know enough about the conditions of work, etc., to be able to argue the rights and wrongs of any particular dispute or hard case on sound Christian principles. Nothing exasperates an aggrieved worker so much as the scholastic detachment of the theorist who enunciates principles without reference to concrete facts.

Then again, he must be realistic and up to date in his training methods, thinking in terms of the present

* Catholic Social Guild, Oxford, England, March, 1948

campaign. For instance, he may think that there is a lot to be said for a large-scale "Back-to-the-Land" policy, but he will get nowhere if he trains his social workers exclusively for an Ideal State which is not likely to be realized in their lifetime. The gap between Catholic social principles and the masses will remain until those principles are applied to *life as it is* in the 20th century industrialized, proletariat State, though this is not to say that sound ideals should not be quietly worked for.

He must further train all his people in sound social doctrine, in as much as such doctrine is an integral part of their moral education. This means more sermons and instructions on social rights and duties. But to break the hard core of indifference he must give special attention to the forming of an elite, not just clerical auxiliaries but specialized apostles with a sense of their mission and the equipment necessary for its fulfilment. To an outside observer it must sometimes seem that Catholic Social Guild study groups would be more effective if the studies were envisaged not just as useful knowledge (as is on occasion the outlook), but as proximate

preparation for a policy of immediate action similar to that of the Young Catholic Workers.

Finally, the priest can help considerably in the social apostolate by giving practical evidence in his own civil and social life of his deep concern for social justice and welfare. He should be a model employer who pays his employes an honest and just wage, not imposing upon them tasks too great for their strength or unsuited to their age or sex. He should be as energetic in denouncing and combating social ills as he is in regard to other moral evils. He must practice remedial action and not be content simply to preach it. Here might be quoted the example of a priest in Belgium whose readiness to do whatever he could to right wrongs has made him the focal point for all manner of people in trouble. He is not content to give alms, quote principles or express sympathy. He always tries *to do* something. He is not easy to imitate. But people believe him when he tells them that the Church is eager for social justice and has a practical policy. He at any rate is in contact with the masses.



"We need justice without doubt or equivocation, but we also need charity if we are to put our lives in harmony with God's plan and promote that spirit of benevolence which will lift the burdens not only from the backs but also from the souls of men."—*Statement of the American Hierarchy, Feb. 7, 1940.*

The First Freedom

ROBERT C. HARTNETT, S.J.

Editor of AMERICA and the CATHOLIC MIND

*Reprinted from THOUGHT**

THE thirteen months from February 10, 1947, to March 8, 1948, proved to be an unlucky span of time for Americans who treasure the religious tradition in our democracy. In that short space the United States Supreme Court adopted and ruthlessly applied an entirely new and antireligious interpretation of the religion clause in the First Amendment, which runs as follows: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . ."

In the *Everson* (New Jersey bus transportation) case, the Supreme Court undertook to define for the first time the exact meaning and scope of this constitutional prohibition of "an establishment of religion." Mr. Justice Black wrote the majority opinion. It proved to be a rather amazing document.

The phrase "an establishment of religion" had always been understood to carry a rather simple meaning. In its religious sense, "an establishment" had always been thought of in terms of giving legal preferment to an organized religion—a Church. The expression "of religion" admits of a somewhat broader interpreta-

tion, it is true. For example, Christianity could become an established religion if our laws gave preferment to it over Judaism or Islamism. But as our courts long spoke of Christianity as part of "the law of the land," as W. G. Torpey has shown,¹ everyone from the beginning seems to have thought of the prohibition as directed specifically against an ecclesiastical establishment. In any event, the only approved judicial procedure in expounding a somewhat general term like "religion" or the more specific term "establishment" is to take it in the same sense in which those who adopted the First Amendment understood it. After all, they meant something understandable to Americans of their day. No one found any ambiguity in the expression from 1789 to 1947.

THE JEFFERSON MYTH

Mr. Black actually did resort to our early history—and with the great enthusiasm of a novice to whom the whole subject was intriguingly new. The odd thing about his historical excursion was that he did not resort to the history of the First Amendment. Apparently under the spell of

¹ JUDICIAL DOCTRINES OF RELIGIOUS RIGHTS IN AMERICA. By William George Torpey. Chapel Hill: The University of North Carolina Press, 1948. Pp. ix, 376, \$5.00. Cf. pp. 31 ff.

* Fordham University, New York 58, N. Y., December, 1948

the Jefferson myth, Mr. Black (or whoever did the spadework) dug up and warmed over the *personal* opinions of Thomas Jefferson and James Madison on the general subject of the relations between Church and State in the United States, chiefly in Virginia. This would be a permissible expedient if we had no information bearing directly on the meaning of the First Amendment.

But Madison, who proposed it in the First Congress, there expressed himself definitely and conservatively on its meaning. Fellow members were just as anxious as we are to know what they were being asked to propose. He told them. They accepted his explanation. Madison's understanding of the Amendment, in the only record we have of it, ran in this fashion: "Mr. Madison said, he apprehended the meaning of the words to be, that Congress should not establish a religion, and enforce the legal observation of it by law, nor to compel men to worship God in any manner contrary to their conscience" (*Annals of Congress*, I, 730). In answer to further questioning, he said "he believed that the people feared one sect might obtain a preeminence, or two combine together, and establish a religion to which they would compel others to conform."

Mr. Black chose to ignore this statement—the only statement by Madison relevant to the historical inquiry—in favor of a rehearsal of a great deal of irrelevant observations of the same gentleman on quite a different issue, namely, the dis-

establishment of the Episcopal religion in Virginia. As the members of Congress were very touchy on the subject of the Federal Government's intruding upon the jurisdiction of the States, it is not surprising that Madison spoke in one vein in Congress and in another in Virginia. He was speaking about two different sets of governmental powers. Other States were just as competent as Virginia to handle the problem in more detail. The only purpose of the First Amendment was to make sure that the Federal Government would not impose an establishment upon them against their wishes.

"WALL OF SEPARATION"

As for Jefferson (who was 3,000 miles away when the First Amendment was framed), the Court went even further afield to pluck a metaphor from a letter he wrote in 1802, without legal effect, in which he said that the First Amendment had erected "a wall of separation" between Church and State in this country. In the *Everson* case the Court, in 1947, decided to write into our constitutional law the metaphor sprung in 1802 from what Hamilton had dubbed Jefferson's "sublimated and paradoxical imagination." The ominous question we are forced to ask is this: Are we now confronted with the novel and unpredictable rule of construing the Constitution to mean whatever Thomas Jefferson, anywhere in his voluminous writings, chose to say it meant? If so, State legislatures may take heart. For Jefferson also upheld in a very formal

document (the Kentucky Resolutions of 1798) their right to nullify decisions of the Supreme Court.

Following "no law but our own prepossessions," as Mr. Jackson described the thinking of the Court in the McCollum case, Mr. Black in the Everson decision laid down the rule that 1) under the First Amendment, as it applied to the States, no American government, State or Federal, may give "aid," not merely to a preferred religion (as Madison understood the Amendment *he* proposed), but even to "all religions"; and 2) no aid, "great or small," could be tolerated.

JUDICIAL TYRANNY

Neither element in this new doctrine seems defensible. Aid to "all" religions is not establishment of religion in the Madisonian and constitutional sense. Much less is aid to all religions in "small" amounts, for example, given indirectly and incidentally. As a result of Mr. Black's decision, "establishment" in the First Amendment now includes any assistance whatsoever to religious groups, no matter how small or how equitably apportioned. And it means this, not because the First Congress in proposing the Amendment meant it, or because the ratifying State legislatures which made the Amendment part of the Constitution meant it, or because the piecemeal historical evolution of the scope of the

Amendment in our courts or legislative enactments or administrative operations have given it that meaning. Quite the contrary. For all these generally accepted methods of constitutional growth have worked toward governmental support of "all" religions in at least indirect and incidental ways. It takes on this revolutionary meaning only because, in the judgment of the Court, Thomas Jefferson and James Madison would like to have it mean just that. This is judicial tyranny.

In the McCollum decision Mr. Black applied his brand-new interpretation to render unconstitutional the "released time" programs in which, ever since 1913-1914, public school authorities have cooperated with religious groups to enable children voluntarily to attend privately conducted religious classes by being excused from public schools one period each week for this purpose.

FIRST AMENDMENT

In *The First Freedom*,² Father Parsons sets the record straight on the history of the First Amendment. He shows that its main purpose was to prevent the *national*, not State, establishment of any *particular* religion, "establishment" meaning *establishment*—not merely "aid," even indirect and incidental. He traces the variations in the proposed wording of the Amendment as it went through Congress. Then he goes back to the

² *THE FIRST FREEDOM*. Considerations on Church and State in the United States. By Wilfrid Parsons, S.J. New York: The Declan X. McMullen Company, Inc., 1948. Pp. xii, 178, \$2.25.

States to prove from their history that they understood the prohibition on Congress in this limited sense, and not at all in Mr. Black's sense of outlawing religion from public education and public life. He has a short chapter on the way the Amendment has been applied to the States via the Fourteenth Amendment.

Father Parsons expounds the Catholic doctrine of relations between Church and State under the heading of "distinction and cooperation" rather than "separation." This

Catholic doctrine, he then points out, conforms to the authentic American doctrine. He also scores an important point by charging that the Supreme Court's insistence on the "wall" idea amounts to an insinuation of the liberal Protestant *theological* concept ("our own prepossessions") of the role of the Church in society into the American constitutional system under the guise of a *political* principle. This is a point well taken. The rest of the volume pursues this argument.



Law Is Not Enough

"It seems that if there is anything we should have learned from the postwar eruption in industrial relations, it is that the whole question is far more complicated than even the so-called experts have judged it. Far too many in Government, in industry and in labor believe that good labor relations can be created by law. This notion is basically false. We cannot cure blood poisoning with a plaster and *the problem of industrial relations in America is a problem of bad blood*, blood which is bad because it seeps from hearts which harbor enmity, distrust and fear.

"This fact is confirmed by all of our limited experience. Labor relations are human relations. They are built on either good will or bad will among men. Where there is good will, there is confidence, trust and cooperation—and peace. Where there is bad will, there is fear, distrust, discontent and insecurity—and unrest. Today it is our misfortune to have too much of the latter and too little of the former, though most certainly we must not minimize that area, which grows slowly but steadily, in which men of good-will work together for their mutual benefit."—Rev. Joseph F. Donnelly in *SOCIAL ACTION BULLETIN*, Hartford, Conn., Dec. 15, 1948.

The Christian American Scholar

LOUIS J. A. MERCIER

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*An address delivered at the Georgetown University Graduate School Convocation,
November 21, 1948.*

WE ARE come together today to commune in our common purpose of consecrating ourselves to higher studies.

In taking up these studies, at least those of us just out of college may have been motivated by the hope of eventual or even proximate extraordinary financial returns. If such there be among us, they might well be advised to reconsider their decision. Higher studies are no assured gateways to the privilege of paying higher income taxes.

It may even be that some of us have drifted into the graduate school from fear of wrestling immediately with the world, through a nostalgic seeking of pre-natal repose, I believe the psychiatrist would say; or through the romantic yearning for pursuits flattering to our vanity, and comforting in the quasi-certitude that the professors could never be cruel enough to withhold credit for courses taken, and would never dare to withhold degrees, even if our theses turned out to be, in the celebrated phrase, but a hurried transfer of bones from one graveyard to another.

We are here met this afternoon to exorcise, if need be, such psychoses, a psychosis being defined as a pathological condition of mind; and, more

positively, we are here to consider in what spirit we should conceive the opportunity of being members of the Graduate School of Arts and Sciences of Georgetown University.

This graduate school is not all inclusive. It offers nothing at the graduate level in the languages and literatures, although twenty departments in those subjects are possible. It has five physical science departments when there may be fifteen; and three departments in the social studies when there may be at least ten. In short, this graduate school strictly sets its studies in terms of its available resources.

Because of this, our school has a very distinct atmosphere of which, I believe, we are all conscious. It is a peculiarly intimate school. Its students, in spite of being more than five hundred, may easily come to know one another, and meet their professors informally and in private conference in the comfortable quarters so solicitously devised by their Dean. The science students necessarily form a group of their own, knowing much about one another's work. The students of the humanities no less inevitably get to feel that they are engaged in a common enterprise.

Another striking aspect of this Graduate School is the peculiar status of its students. Some of you are full-time students, that is, when not in the classroom you may be in the library. But most of you are part-time students; and, because this is the nation's capital, you come to us from the most varied quarters, business, the professions, government-offices, embassies, the Army, the Navy, and, last but not least, the Air-Force. Many of you already have extraordinary records of achievement, and most are in personal touch with current affairs. You also represent many nationalities, races, or sections of the country, as, indeed, do your professors. Georgetown, then, is a national and even international university, and both students and professors can profit greatly from the opportunity of pooling informally such varied experiences.

Georgetown, however, is something besides a national or even international university. It is a Catholic University.

Because of this, those of you who are not Catholics might well wonder whether they belong here, and whether they are not inevitably going to be indoctrinated in Catholic doctrine. On the other hand, Catholic students and parents might raise the question whether, in order to respect the varied insights and religious allegiances of its non-Catholic members, Georgetown is not forced to minimize its Catholicism, and even to become a purely secular university. And surely there could be no greater

scandal than a Catholic university giving the impression of indifference to religion.

MANY ISSUES INVOLVED

Many issues, therefore, are involved in the answer to those questions. One approach is to consider what obtains in non-denominational universities. They are supposed to be neutral with respect to all religions and even to all philosophies. But are they, or rather are their professors of religion, philosophy, psychology, the social and even the physical sciences neutral in the presentation and interpretation of their subjects?

One non-Catholic professor, Norman Foerster, then of the University of Iowa, who made an exhaustive study of the question, has this to say about it in his book *The American State University*:

In the naturalistic university of today, one way of thinking so overwhelmingly dominates that other possibilities are quite lost to view. To assert that the university of today teaches the young "to think for themselves" is sheer cant. Within the pattern of scientific and naturalistic thinking, no doubt, the student may be given considerable range, but if his mind wanders outside the pattern, he is generally disregarded as hopeless, or reproached for his prejudice. Such is the attitude toward the Catholic student, for example, on the part of many professors singularly ignorant of the doctrines of the Church.

From this, we may evidently gather much valuable data, but especially that the non-denominational univer-

sity is in general naturalistic. This means, as Foerster further explains, that it has "a view of the universe in which matter or natural forces occupy the central position, and a tendency to apply the relativistic and evolutionary doctrine of natural science to human interests and affairs."

One way to sum up this doctrine is to say that it merges God and man in nature, in an evolving nature, in what it considers to be a self-existing universe. This naturalistic doctrine, therefore, is the absolute opposite of a belief in a personal God, Creator of the universe. As some of the more prominent naturalist professors put it in their manifesto of 1933: "the time has passed for Theism and Deism"; which means of course, the time has passed for belief in God.

Now, there is no doubt that for Georgetown and its professors the time has not passed for belief in God.

This is no question of Catholicism versus Protestantism, of what we make out to be the content of a Revelation. It is a question of natural philosophy, of the use we make of our reason.

This should bring us to a startling realization. The philosophy of the Founding Fathers of this nation, the philosophy back of the Declaration of Independence and of our American institutions, was belief in a personal God. The ascendant philosophy in Europe during the 19th century was unbelief in a personal God, and belief in a self-existing universe in constant evolution through struggle.

It led logically and inevitably to Nazi and Russian totalitarianism, because it left no basis for an eternal righteousness above men and nations to which they must conform their conduct, and for the inalienable rights which can only come from a God-given nature.

It is this atheistic, pantheistic, or purely materialistic philosophy, this corroding agent in the disintegration of Europe, which now permeates, we are told by some of their members, our American academic circles.

The greatest issue before us today, therefore, is not Russian planned-economy or drive to power. The greatest issue before us today is whether our academic importation of the European philosophies which bred totalitarianism will drive from our political circles the original theistic American thought which bred our freedom, and dedicated us to the solution of all questions on the basis of a justice above all men and nations, because it is the justice of God, our common Creator and Guarantor of our common inalienable rights.

Economic practices, frontier adjustments, access to open seas, freedom of emigration and commerce have always been issues open to discussion. What matters above them all is that we retain a common faith that will enable us to settle them on the basis of an abiding moral law and even in the spirit of brotherly love. What matters is that we do not all capitulate to a philosophy which would commit us in turn to the slogan that might only creates right in international relations, and

that citizens within the nation are but pawns of the state.

All of you, I am sure, are conscious of this issue. Your past experiences in the academic world, the lectures you have heard, the readings you have done, inevitably called for a frame of reference; and ultimately that frame of reference must be man's nature and the origin of that nature, hence finally, faith in a self-existing universe or in a self-existing God.

Well, you need have no doubt as to what is the ultimate frame of reference in Georgetown University. You may come here with varied insights and allegiances. You may be sure that Georgetown will respect your right to continue to believe only on the basis of evidence; but you may also be sure that back of the organization of all studies at Georgetown will be the conception of the nature of man and of his relation to God which built the western world, and which is very particularly the cornerstone of American political institutions.

OBJECTIVE TRUTH

This does not mean that each branch of knowledge has not its own discipline. The physical sciences have their own methods of experimental verification. The study of history, including that of the literatures and arts, and the study of social and economic facts are the ascertaining of what actually happened, in so far as it can be determined through the procurable data. Philosophy is the study of the nature of

ultimate reality, and of the hierarchy of being, through man's natural powers of observation and reason. Even our faith in religion, in the dealings of God with man, should be based on the historical record. In short, scholarship in any domain should be the pursuit of objective truth, the painstaking attempt to establish the record impartially.

What Georgetown would insist on is to give you a chance to study impartially the *whole* record, not merely the record of the physical sciences, nor merely the short record of naturalistic thought, but also the long record of the elaboration of spiritualistic and religious thought.

What you personally do with that opportunity is for you to say. However, Georgetown has the right to ask you, as all universities should, to be intellectually respectable, to get acquainted with all the parts of the record which are necessary for a complete, comparative, critical approach to your specialty. If your specialty were the history of religions, you should be asked to study all religions, and the philosophies behind them, objectively, in the works of their representatives; you should not be asked, for instance, as is so often done in naturalistic universities, to dismiss Christianity *a priori*, because it is incompatible with a materialistic philosophy. If your specialty is economics or political history, social or political science, you should not be allowed to study merely their materialistic interpretation. You should be obliged to examine them also in the light of theistic

humanism. In short you should be given a chance to compare through philosophical studies the two fundamental and contradictory alternatives of thought: the monistic which merges God and man in nature; and the dualistic which asserts that God and the universe are distinct, and that man is distinct in the universe.

Then you will not be committed to look upon nature as an upsurge of blind forces, upon history as the record of the triumph of the strongest, and upon religion as the wishful escape mechanism out of the horrors of this relentless struggle.

Then you will have a chance to weigh the evidence for the point of view that the physical sciences are the deciphering of God's physical creation; that economics is the study of how men should develop production and distribution according to justice; that political science is the study of how men should organize government to safeguard their inalienable rights that they may discharge their duties to God and neighbor; that history and the literature are the records, in all fields, of what men have done with their freedom to co-operate or not to co-operate with God's metaphysical, moral and supernatural order, the study of which is the subject-matter of philosophy and religion.

But Georgetown, as you know, offers you even more than the unbiased survey of all the alternatives of thought. In every classroom of Georgetown University, there is a Cross. That Cross stands for more

than theistic Humanism. It stands for Christian Humanism.

Theistic Humanism sums up the rational findings as to the relations of man to God the Creator. Its code of ethics is the natural law. It speaks of the natural virtues, of all the forms of prudence, temperance and courage, and, above all, of justice, which we must practice to lead an ordered life. Even pagan antiquity visioned that ideal, and in its recognition we may all meet. In fact His Holiness, Pope Pius XII, invited us all to do so for common social and international action: "We turn to all those who are united with us at least by the bond of faith in God. . . . Such social intercourse and the new order we are hoping for must be founded on that immovable and unshakable rock, the moral law, which the Creator Himself manifested in a natural order."

ABOVE THE NATURAL

But the Christian believes in more than God the Creator of the natural order and of the special nature of man. He believes in God the Sanctifier who endowed humanity at creation with the supernatural life of grace, and in the God of the Cross whose sacrifice made the restoration of that grace to humanity possible.

This means that we are not to live merely in the realm of justice. It means that we are also to live in the realm of love: love God and thy neighbor as God has loved thee, even to sacrifice, even to the love of those who have offended thee. This is the realm of the counsel to all: Do more

than you need to do in justice. It was gradually unfolded in the Old Testament, it was the tidings of great joy of the New. It deals with the infinite, and, as such, surpasses finite reason. It calls for a free self-giving in answer to the free gifts of God, for the supernatural virtues of faith, hope and charity, for our individual acceptance of the Redemption. In its light, the natural order and the natural virtues may come to seem irrelevant. If we are called to be saints, is it really worthwhile to become scholars?

NO REAL OPPOSITION

This dilemma must be cleared up if we are to have a dynamic Christian scholarship. The possible opposition between "this-worldliness" and "other-worldliness" has haunted men ever since Christianity confronted pagan thought, and agonizingly since the Renaissance. "What will it profit a man to gain the whole world if he lose his immortal soul?" The answer is that man may not save his soul if he shirks his allotted work. If that allotted work is to develop wealth or knowledge, he should do his best to do so. Supernatural grace does not make us pure spirits. We remain rational animals with a material life to sustain and improve. The development and spread of scientific knowledge and the creation of wealth are duties, when two-thirds of the human race still live in illiteracy and close to starvation, and capital is essential for their uplift through government and even church services.

We need the supernatural virtues to do our work in the world, faith and hope to keep up our courage, and charity, love of God and neighbor, to look upon our gains as social trusts. But before we can have gains we need to discipline our minds, to acquire habits and skills, to equip ourselves for our specialties, to develop our critical and creative powers. Grace enables us to look upon all our efforts as possible offerings to the service of God, but laziness or sloth, complacent ignorance, low standards of achievement are no fit objects for such offerings. Self-disinterestedness we must cultivate, and we may sacrifice legitimate satisfactions for the love of God, but we may not sacrifice the duties of our state of life. The supernatural does not annul but perfects the natural. Christianity is a call to physical, rational and supernatural action in terms of our vocations.

The Benedictine monks whose monasteries founded more than half of the villages of Europe, and saved learning in a barbarized age, expressed that principle in the motto: *laborare est orare*, to work is to pray. Four hundred years ago this very year, at the call of the city of Messina, St. Ignatius of Loyola opened to laymen the first of that long line of colleges which until our own times were to be the pattern of liberal education, synthesizing as they did the humane letters of the Renaissance with the divine letters of Christianity. Throughout those four hundred years, the Jesuits taught their students

how to be leaders in the world, how to carry on in their vocations *ad maiorem Dei gloriam*. Unite those two mottoes: "to work is to pray," and "to the greater glory of God," and you have the ideal of the Christian scholar for over thirteen hundred years.

Today, there is another task before the world. Again humanity is facing an age of dislocation. The hierarchical structure of society which prevailed throughout history is giving way before a world-wide aspiration to more economic and social equality. Shall it be achieved through coercion or cooperation is now the question. Educationally, it means the problem of mass education, and the gathering and development of the vast body of knowledge and achievement, literary, scholarly and scientific which did not exist in the post-renaissance aristocratic era. Where can all this be garnered, scrutinized and added to by specialists, confronted for deeper philosophical and religious insights, canalized for action, if not in the graduate schools of Arts and Sciences of our universities?

No university is greater than its graduate school of arts and sciences, because its other schools are primarily technical schools which train practitioners in the use of existing knowledge. In the graduate school of arts and sciences alone is it the special task to equip and train for working out the implications of knowledge and for its extension. Eventually, Catholic universities, like all others, will be judged by the number of

authoritative and productive scholars on their faculties, and by the quality of the training they give their graduate students to become in turn contributors to knowledge in their several fields.

Let us hope that we shall save what was good in the education of the aristocratic age, that our scholars will remain gentlemen, that their specialized training will not wholly kill their urbanity, their aesthetic taste and their more universal insights; but let us fully realize that today, in our democratically oriented societies, we are challenged both by the secular call for more equality, and by the Christian principle to work not only for personal culture but for the common good.

OUR TROUBLED TIMES

It is, therefore, no small responsibility to be members of a graduate school of arts and sciences in this year of divine grace and human disgrace 1948. But we should not be dismayed even by the uncertainties of the hour. The Theistic Humanist, and even more the Christian, should never lose their faith in the Providence of God. If we are being chastened, it must be because we have been guilty, guilty of social selfishness, of contradictory lusts to power, of continuous blasphemy. Our consequent bewilderment should then merely heighten our appreciation of our vocations. It is for the historian, the economist, the political scientist to elucidate the record of our mistakes, for the philosopher and

the theologian patiently to point out the remedy, while the scientist goes on studying what may contribute to an improved material life for all, if we are at last to learn to work according to God's order.

The amount of what we personally take on of the enlightenment and consolations of Christianity is our individual responsibility; but at least we may be sure that in Georgetown University are represented all the elements necessary for the solution of our problems.

Let us then enter upon, or continue, our work in the Graduate School of Arts and Sciences of our university, for so long so close to the heart of the national life, with humility but courage. Ours is a call perhaps to abstemious living but certainly to inspiring thought, a challenge to become leaders in our specialties, to help to rescue America from false philosophies, to help to keep her fit for the mission which is now so clearly hers in the councils of the world.



Genesis of Russian Revolution

"The Russian revolution is the child of the Russian intelligentsia. Peter the Great gave culture to his country—he imported materialism, taught his country to scoff at everything sacred. Catherine the Great enshrined the French freethinkers in Russian minds. Voltaire fathered this new generation whom he taught to laugh, until the laughter became the grimace of a skull. He murdered Orthodoxy in the hearts of Russia's upper classes. Orthodoxy was good for the people; it kept serfdom, whipped Russia into holy contentment, it salved the consciences of those who had not completely apostatized, yet wanted to live the reckless, fantastically prodigal, luxurious lavishness of those "old times" the disappearance of which even Belinsky (in his earlier years) lamented so poetically. An Orthodoxy that blessed simultaneously the awfulness of serfdom and the scandals of the aristocracy could no longer satisfy that ardent youth aching for something better, truer, nobler. Then they threw themselves into German philosophy—Fichte, Schelling, Hegel and, much later, Marx. What an aching for truth you feel in the throbbing correspondence of cultured Russia that was rising to the height of genius! They tried everything—except Him who is the Way, the Truth and the Life."—*Joseph Ledit, S.J., in THOUGHT, December, 1948.*

Religion, Economics and the "Chicago Tribune"

Reprinted from WORK*

THE *Chicago Tribune* blew an editorial fuse on September 12th. The electrical charge was supplied by the World Council of Churches which met in Amsterdam in August and condemned atheistic communism and *laissez-faire* capitalism.

(*Laissez-faire* means "keeping one's hands off." Under *laissez-faire* capitalism, the government lets businessmen do as they darn please by keeping its hands off.)

The *Tribune* denounced these 452 distinguished Protestant church leaders gathered together at Amsterdam from 42 nations. It called them "political churchmen" who "confuse politics [economics] with religion." "Their mission," the *Tribune* said, should be "to celebrate the glory of God and to preach the divine Word, not to propagandize in favor of one economic order against another."

This is what the Council actually said: "The Christian Churches reject the ideology of both communism and *laissez-faire* capitalism and should seek to draw men away from the false assumption that these extremes are the only alternatives."

The Council did not come out in favor of any particular economic or political system. It admitted, however, that "the exploitation of workers . . . has been corrected in considerable measure by the influence of

trade unions, social legislation, and responsible management."

That approval of "social legislation" by the Council is what short-circuited the *Tribune*. You see, the *Tribune* thinks that any effort by the government to "regulate business," to build low-cost housing for the poor, to set up a plan for health insurance, is "socialistic." And therefore the *Tribune* is against it.

GOVERNMENT MUST SERVE

What the *Tribune* can't get through its socket is the Christian principle that a government must serve the people. The Christian says: "What use is there to a government that sits on the side-lines while a businessman, in the name of free competition, gets away with economic murder?"

When a Christian leader preaches the moral principle that a good government must protect the poor and the workers from economic injustice, the *Tribune* is shocked. Religion, the *Tribune* seems to say, should be locked up in the sanctuary; religion has no right to tell politicians or businessmen what is right or wrong. Business is business, the *Tribune* thinks; politics is politics.

We don't know whether the *Tribune* realizes it, but basically the *Tribune* is for a Christianity whose "Christians pray on their knees on Sunday

* 3 East Chicago Ave., Chicago 11, Ill., October, 1948

but prey on their neighbors on the other days." The *Tribune* just doesn't get the point in this jingle of Ed Willock's:

*Mr. Business went to Mass,
He never missed a Sunday.
Mr. Business went to Hell,
For what he did on Monday.*

If you add it all up, you find that the *Tribune* wants to separate Christianity from economics.

On the very same day that the *Tribune* wrote its editorial, Pope Pius XII was speaking to 200,000 men gathered in St. Peter's square in Rome. "The social question," he said, "is undoubtedly also an economic question but even more it is a . . . moral and religious question." This is the religious principle which the *Tribune* refuses to admit and which the Church has been preaching right down the ages.

Back in 1901, Pope Leo XIII said: "It is the opinion of some, and the error is already very common, that the social question is merely an economic one, whereas in point of fact, it is first of all a moral and religious matter, and for that reason its settlement is to be sought in the moral law and the pronouncements of religion."

But the *Tribune* is not only wrong. It is also inconsistent. Church leaders who follow the *Tribune* party line in economic and political matters are not denounced.

Five days earlier, on September 7, the *Tribune* quoted at great length and with obvious approval Father James M. Gillis' stinging criticism of the policies of the late President Roosevelt and his family. Did the *Tribune* denounce Father Gillis as a "political churchman"? As a "pious demagogue"? Of course not. Oh no! Father Gillis' opinions were right down the *Tribune's* editorial alley.

In this respect the *Tribune* is not so different from the Kremlin. In Soviet Russia the Church operates so long as it keeps in step with Joe Stalin. So long as churchmen make pronouncements which match the editorial policy of the *Tribune*, it has the *Tribune* blessing. But let a churchman deviate from the *Tribune* Tower's editorial line, and he's liable to be denounced as a "pious demagogue."

Because the Christian Church refused to bury its principles in the catacombs, the Roman emperors persecuted her. Because religious leaders refused to endorse Hitler's racist theory, Hitler tried to exterminate them.

Because Christianity in 1948 fights against economic dictatorship, against dog-eat-dog economics and for social justice, for badly-needed social legislation, the selfish and the powerful condemn it—as they condemned Christ.

✱

"The glorification of excellent men is the glorification of God who made them victorious. For without Him they are nothing."
—Thomas of Marga, BOOK OF GOVERNORS, Bk. i, ch. 2.

New Kind of Churchmanship

LISTON POPE

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*Reprinted from SOCIAL ACTION**

OUR Congregational tradition contains explicit injunctions to look beyond ourselves to the problems of the world, rather than to seek merely to improve or increase our own fellowship. One of the founders of Oberlin College, John Jay Shipherd, had as his purpose to Christianize the frontier and "educate school teachers for our desolate valley, and many ministers for our dying world." Charles G. Finney, President of Oberlin from 1851 to 1863, though his central passion was for the conversion of individual sinners, taught that the converted man is not only reformed but also a reformer: Christians should set forth "with all their hearts," he said, "to search out all the evils in the world, and to reform the world, and drive out iniquity from the earth." "Religion is something to do," he insisted, "not something to wait for." Finney knew the desperate needs of his own time; he entreated the Christian church: "Ten thousand voices cry out from heaven, earth and hell, *'Do something to save the world! Do it now.* Oh, now, or millions more are in hell through your neglect."

The issues confronting the world are far more fateful now than in Finney's day. Some of the terrors

of his era still haunt us: war, involuntary servitude, financial speculation that looks suspiciously like gambling. Other issues that disturbed the middle of the nineteenth century appear quaint in retrospect. For example, a ladies' literary society at Oberlin in 1862 held a debate on the proposition: "Resolved that Pres. Lincoln is not so bad a man as Pres. Finney thinks he is." History seems to have solved that question resoundingly in favor of Lincoln. For a great many years no student could be admitted to Oberlin who had travelled on the Sabbath in order to get there; now we are concerned over whether Americans even remember the Sabbath day, much less keep it holy. The ancient struggles over the use of tobacco have literally gone up in a cloud of smoke, and a question addressed by Finney to one of his audiences now causes more amusement than disquiet: "Perhaps some of you here tonight," he said, "have laid out God's money for tobacco. . . . Think of a professor of religion, using God's money to poison himself with tobacco!"

There are still those who would restrict the social concern of the church to issues that agitated our forebears a hundred years ago. But

the critical issues that confront America at this moment are of a different order. Consider first of all some of those that pertain most especially to our American scene.

There are certain pressing problems in the political realm. We shall be preoccupied for several months with the national election. The world will be watching us, much as it did in the election of 1920, and the implications of our decisions in November will reverberate throughout the world for many years.

If American voters behave in the forthcoming election as they have in the past, more than one-third will refrain from voting, and of those who do vote about ninety per cent will vote for the same party as in the past, regardless of current issues. There is something to be said from the politician's point of view both for political apathy and for party regularity, but there is not much to be said for either from the standpoint of the Christian conscience. Unless the Christian churches help to shape moral judgments on the men and policies of the forthcoming campaign, the outcome will depend simply on propaganda, party machines, and political maneuvering. To be sure, the Christian may have little real choice as between candidates and platforms, and many good churchmen will be tempted to boycott the polls with some remark about Tweedledum and Tweedledee. But the point of William James' statement was that there is always some difference between

Tweedledum and Tweedledee, and that though small the difference is highly important. It is a duty of the churches to help their members to discover this difference between the contestants, to examine it in the light of Christian conscience, and to act accordingly.

Congregational Christians have demonstrated no greater ability than other groups to vote as Christians rather than as property owners or as old families or in terms of some other secular standard. In 1944, 56 per cent of us voted for Mr. Dewey and 26 per cent of us for Mr. Roosevelt.¹ We led all other denominations in the size of our Republican plurality. It may be that, as Jesse Henry Jones said in 1872, "the Republican Party is the party of Jesus Christ"—but at least we might reexamine the question occasionally. If our reexamination confirms our obvious political preferences, we can then enjoy them the more virtuously.

CHURCH AND POLITICS

Though their number appears to be diminishing, there are still persons who insist that the Christian Church has no business meddling with political issues in the first place. Interestingly enough, this viewpoint is being espoused most vigorously at the moment by the Communists, who are willing to tolerate the churches, in Russia, Yugoslavia, and elsewhere, so long as the churches refrain from judgments on the political sphere. This is one of those

¹ Federal Council of Churches, *Information Service*, May 15, 1948.

points—and there are several such—at which the extreme conservatives and the Communists find themselves to be comrades.

But the Christian Church cannot avoid the responsibility to make its testimony heard in the halls of the State, in election year and in every year. Except as this testimony is permitted, the State becomes totalitarian; except as it is heeded, the State becomes Machiavellian. It is little wonder that some of the most militant proponents of the absolute separation of church and state are found among the secularists and the atheists. That doctrine is not our Congregational heritage, and we trust it never shall be.

ECONOMIC ISSUES

On the economic front, all appears to be quiet and prosperous in our country at the moment. The Christian cannot help being troubled, indeed, at our prosperity in contrast with the world's want. But even here at home some ominous and intolerable conditions prevail. In 1947, when the national income, corporation profits, industrial wages and farm prosperity all reached new high levels, nearly one-third of our American families had incomes of less than \$2,000 for the year, according to the Federal Reserve Board. That figure is far too low, with prices where they are, to support a decent standard of living for a family of four in an urban center—and a majority of our population now lives in such centers. Here in rich America, desperate want

remains all about us, if we have eyes to see. Fabulous wealth and bitter poverty inhabit the same town; immeasurable power is vested in a few corporations while the masses fear insecurity! Organized labor, having just begun to come of age, has been severely chastised and sent back to the cellar to meditate on its sins, and the future of industrial relations is very unsettled. Down underneath in America a mighty resentment is growing—a resentment of unjust treatment and of the indifference of the powerful and the proud.

We Congregational Christians are not in a very good position to know about economic discontent. According to a recent study,² a larger percentage of us are business and professional people, and a smaller percentage of us belong to trade unions, than is true of any other major Protestant denomination. We draw a smaller percentage of our members from lower income groups. We are heirs of rough and poor pioneers, and their privations obviously were not in vain; they got there first, and we their descendants have been there ever since in terms of comparative privilege. By the same token, we may be comparatively divorced from the privations and fierce desires by which great masses still live.

We may be repeating the age-old mistake of fortunate heirs. An example is offered for our instruction in the fate of the Russian Revolu-

² Federal Council of Churches, *loc. cit.*

tion. In his book *Darkness at Noon*,³ Arthur Koestler puts into the mouth of an old Bolshevik an interpretation of the early success of that revolution and of its subsequent betrayal. "At the time of the revolution," Rubashov says, "we were called the Party of the Plebs. What did the others know of history? Passing ripples, little eddies and breaking waves. They wondered at the changing forms of the surface and could not explain them. But we had descended into the depths, into the formless, anonymous masses, which at all times constituted the substance of history. . . . We dug in the primeval mud of history and there we found her laws. We knew more than ever men have known about mankind; that is why our revolution succeeded. And now you have buried it all again. . . ."

Unless our concern for social justice is deepened, we Congregational Christians may be among those who suffer the fate history has always reserved for the callous rich and the haughty proud. Except as our Christian conscience is quickened on matters of economic exploitation and misery, we can hardly claim to follow Him who exalted the poor and humble and Himself became the greatest of them.

In no respect does American practice belie and betray American ideals

more clearly than in race relations. Having just concluded a war against a self-appointed Master Race, we continue to act as though we white Protestants were by the favor of ancestry and of God a superior folk ourselves. For documentation of this assertion, it is necessary only to point to some of the recent studies of American racial practices, such as those by Myrdal and Loeschner and particularly that of the President's Committee on Civil Rights.⁴

SEGREGATION

We Congregational Christians can assert that we are quantitatively more democratic and more Christian with respect to race than most of our sister denominations. Less than one per cent of the local Protestant congregations in the nation include persons from more than one racial group: according to a survey by Maynard Catchings for the American Missionary Association, six per cent of our Congregational Christian congregations have mixed membership. The mixture, when it does occur, is usually like the famous formula for French rabbit stew—one horse to one rabbit—with the minority group having only token representation. At the level of the state conventions, we also segregate our Negro brethren thoroughly in the Southern states. It

³ Arthur Koestler, *Darkness at Noon*. Copyright, 1941 by The Macmillan Company and used with their permission.

⁴ Gunnar Myrdal. *An American Dilemma*. New York: Harper, 1944.

Frank S. Loeschner. *The Protestant Church and the Negro*. New York: Association Press, 1948.

President's Committee on Civil Rights. *To Secure These Rights*. Washington: Government Printing Office, 1947.

is rather ironic that a denomination which gave so many leaders to the anti-slavery movement, and which supported so generously one of the greatest educational campaigns for Negroes ever undertaken, should have adapted itself so neatly in these latter days to a Jim Crow status quo. In the last few years we have begun to attack this system, but we have hardly begun to change it.

INTERNATIONAL RELATIONS

Issues in these realms—politics, economics, race relations—are only samples of the insistent questions with which America is now confronted and to which she must give answer, by courageous action or by default. Others might be discussed indefinitely: the revolution on the land and the struggles between farm groups; the battles for adequate health, education, and social security programs; the disintegration of American sex standards and of the family structure; the crisis in civil liberties which has developed in our anti-Communist program—and so on.

There are likewise issues in international relations, of even graver consequences and vaster complexity. It is difficult to know in these days whether we are primarily in a post-war or a prewar situation. Many problems remain from the last war: peace treaties still unwritten, occupation policies still unsettled, atomic weapons still unbridled, the United Nations still disunited. Cities remain in ruins; displaced persons remain in concentration camps; four hun-

dred million children remain in want. The Fascist dragon of World War II has been slain, but the dragon's teeth are sown around the world.

At the same time, we stand in a prewar situation. We may continue for several years to stand on the path, or the threshold, or the very edge of war; and by great patience and good fortune some other alternatives may at last emerge. But meanwhile there is fighting in Greece and China, and an uneasy peace prevails in Palestine, Korea, and Germany. Any of these might become a spark to set the world again on fire.

Most central of all, there is the problem of struggle between the United States and the Soviet Union—a struggle taking place at several levels simultaneously. Some would solve this problem simply by power, by military measures. Russia might be stopped thereby, but not Communism. Others would solve the problem simply by negotiation, forgetting that negotiation is often merely a mask for the underlying power struggle. Others would seek to evangelize the Communists, even though these new objects of missionary endeavor have long since had a thorough inoculation against religion, and a double dose for protection against what they regard as "American capitalist Christianity."

CHRISTIAN STRATEGY

Perhaps the wisest, and most Christian, strategy is that of helping to build up a third bloc of nations in the world—a bloc that will be neither

capitalist nor communist, neither completely totalitarian nor wholly democratic, but representative of efforts to experiment with a middle way. Aid to the nations of Western Europe fits into this strategy. After all, these nations have the strongest incentive to preserve the peace: a third World War would be fought on their territories, insofar as it was fought on land at all. There is little prospect at the moment that either the United States or Russia will break the circle of hostility toward each other; once again the hope of salvation from catastrophe may come from the comparatively weak and lowly of earth.

Beset from behind and before by so many grievous issues, we easily agree with Livy that "we can no longer bear the ills we have, not yet the remedies for them." But we must perforce bear the ills, whether we would or no, and Christian faith is of such profound dimensions that we need not fear. Nor is it inconceivable that the churches, driven and sustained by so great a faith, can help to find remedies for a distraught world. A new kind of churchmanship must emerge before this consummation can be achieved. Rather, an old kind of churchmanship must be made new again among us.

The most important prerequisite for this churchmanship is that we shall come again to hear the ringing imperatives of the Christian gospel, and to know on whom we have believed. The church in America has taken on the protective coloration of

the society in which it lives, and therefore blends easily with the social landscape and accommodates neatly to the evil all about it. For many churchmen God and country are twin members of the deity. Some of us have a veritable pantheon: class interests, racial prejudices, political loyalties, and international suspicions are all fused into an amalgam that we call the Christian faith. Like most religions, Christianity has tended to become a cultural religion rather than remaining a faith that transcends and redeems history.

WHERE IS THE GOSPEL?

Somewhere, as Matthew Arnold put it, we have mislaid our gospel. There is little hope for the church or the world unless the gospel is preached again in all its full-orbed implications, driving men to repentance of their sins individual and social, and sending redeemed men out to reform the church and the world. The church of Christ cannot meet the challenge of this hour with a middle-class ethic or an American creed; it can meet it only with the mind of Christ, and with the strange ethic of universal love and of relentless justice with which He redeemed sinners and destroyed wickedness.

On the other hand, the church cannot save itself or redeem the world by fastening its attention on itself and seeking to withdraw into its own concerns. Temptations to a new monasticism are very appealing in the midst of the prevailing chaos. Let us confess it: we churchmen are afraid of our world—afraid of stat-

ism and of anarchy, afraid of big business and of the Communists, afraid of the Roman Catholics and of the pagans. Our fear prevents us from taking the actions which might defeat what we fear. Everything makes us afraid; therefore we retreat to our own vine and fig tree, tending our ecclesiastical garden and dreaming of a magnificent harvest which will so impress men that they will stop fighting and come to sit down with us in Christian peace and concord.

Perhaps it is not fear that isolates us, but a comfortable status from which we do not wish to be disturbed. Or perhaps it is loss of vision or of touch with mankind. We often say that we must avoid controversial secular questions lest the fellowship of the church be broken. As a matter of fact, the church has already lost more members and more respect because it refused to stand up on issues of justice and right than it will lose if it does stand up. In any event, it is as true of a church as of an individual that "he who would save his life must lose it."

RADICAL CHURCHMANSHIP

A churchmanship that would save the church and redeem the world must plumb the depths of the modern crisis, and know how apostate the church is and how lost the world is. The cult of optimism is no less regnant in American churches than in our Chambers of Commerce. We like

to believe that we can reform the church by a little tinkering here or there—a new committee or a new special emphasis or another reorganization. We like to believe that we can reform the world by sprucing up our existing economic jungle and by revising a few racial patterns and by urging peace—by a little regulation here and a little liberation there.

All these may be necessary and important. But the sickness of the church and of society is too acute for therapy by braces and poultices. A churchmanship adequate for these times must be venturesome and radical, not in any secular sense but in the apostolic sense. Men who go forth from God need bow no knee save to Him Who sends them; because He is the Lord of history, their judgment on social institutions and practices can be searching and devastating rather than tentative and timorous. Under God every social system has its day and ceases to be, until His own will shall be done at last on earth as in heaven. Heralds of His kingdom are not simply apologists for some secular "ism" or mere mechanics tinkering with the church or with society. They are, in Emerson's words, "guides, redeemers, . . . obeying the Almighty effort and advancing on Chaos and the Dark." They are craftsmen etching a true memorial to the noblest hopes of twenty centuries; and because in the economy of God no struggle for righteousness is ever lost, their work shall shine as the stars forever.

Communism in Asia

THE MOST REV. JAMES E. WALSH, D.D., M.M.

*A letter to the Editor of the New York TIMES, dated Shanghai, China,
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A PEACEFUL world without a healthy Asia is impossible, if only because the immense continent is still as big as ever, while the world itself has drawn its ends together and grown small. With well over a billion inhabitants, Asia contains more than half of the total population of the earth. Its good people were always our brothers, but they have now become our neighbors as well. Their future is our future; we cannot live apart. Yet if we are to live together in peace and constructive cooperation, we must come closer to each other in mind and spirit first.

We already have much in common with the people of the East. They share all our basic human traits and most of our normal, natural, human aspirations. Their outlook on life is growing more modern, more in keeping with our own, with every passing day. They assimilate to us much more rapidly than we do to them. Under better skies they would solve the problem for us single-handed by gradually incorporating the good elements of our civilization into their own, while judiciously eschewing, let us hope, the less commendable vagaries.

The gap that separates the people of East and West represents the

fundamental principles that will either unite us fully or divide us more. This gap between us is not inconsiderable. Their training for life is vastly different from ours. Their means of coping with its problems are pitifully inferior to ours. They have no spiritual guidance of divine origin, no spiritual support of supernatural strength. They have no long crystalized traditions of law and constitutionality. They love learning, but do not understand what true education is. They lack experience in applied science. They have no political philosophy of any kind. They never knew the meaning of human rights.

SOCIAL CONSCIOUSNESS

Strangely enough, they have a well-developed social consciousness, a keen interest in human welfare, not surpassed by that of any other people; a circumstance owing to that deep and instinctive sense of human brotherhood which has been their birthright from immemorial ages. They possess uncommon gifts of intelligence and character. They are models of incessant industry. And they are undoubtedly the most patient, persevering and uncomplaining people to be found on the face of

* 229 W. 43rd St., New York 18, N. Y., Nov. 29, 1948

the earth. Thus they have much natural goodness.

They are the product of the great civilizations of Asia, gracious, deeply human, highly developed and woefully limited as those civilizations are. The sum of their assets, therefore, is a humane outlook on life plus good capacities and great good-will. This is much and little. Indeed, it is so much and so commendable—and yet it is also so tragically deficient as a total equipment for human life—that it cries to heaven for completion. And in these circumstances their more fortunate brothers of the Christian world ought to be both anxious and able to supply the rest.

DANGER OF DIVISION

As Asia brought Christ to us, so the charity of Christ can bring to Asia all it needs in the way of spiritual and material aid for its healthy progress. Today, however, nobody knows how long the opportunity to do so will last. At the moment East and West are not drawing together but seem rather to be drifting apart; and there is grave danger of further, even of irrevocable, division. The skies of contemporary Asia are not propitious; they are darkened by a cloud that is much bigger than a man's hand—so big, indeed, that it already covers the eastern horizon from Korea to Burma and beyond. It is the rise of communism, engineered by an alien enemy and abetted

by hordes of treasonable simpletons in every land.

All politically inept people—a category that surely includes fully ninety per cent of the earth's inhabitants when taken on their record—are peculiarly open to the specious appeal of a movement like communism. Regardless of its revolting aspects, it represents change; and a thousand years of floundering about in political chaos and economic misery prepares a people to welcome any change.

Many factors favor its spread in these lands. One of them is the complete spiritual vacuum that already exists. Another is the complete lack of any traditional and treasured political system around which the people may rally in effective opposition. Those who have neither religious nor political convictions are easily led and easily pushed around. Meanwhile the vast majority of the people of Asia do not want communism; they are merely too apathetic to react against it. So Asia sleeps while communism marches.

Asia has merited well of the world. Asia was the cradle of the human race. Asia was the originator of every great human culture that ever had enough vitality to persist through the ages.

Asia deserves something better than the spiritual death and bodily enslavement of communism. In the foreshortened world of today the salvation of Asia is the vital concern of all humane and responsible men everywhere.

This Freedom of the Air

EDWARD J. HEFFRON

*Reprinted from COLUMBIA**

THE radio broadcaster likes to consider himself a showman, an educator, a mold of public opinion. He is; but he's primarily a businessman. If he were a business statesman, he'd be content with the handsome profits he's making now, and not try to get more by doing away with the measure of radio regulation that presently obtains; in fact, he would even be content with a somewhat smaller profit, if necessary, in order to cure some of the noisome commercialism that now offends every listener of moderately good taste.

But he is not content. He wants greater freedom. Because, he says, freedom is a good thing in itself. Because, his critics say, greater freedom means greater profits.

However that may be, he would like to do away with public regulation of his business. He points out that, by comparison with other media of mass communication, radio has served the public pretty well. Why, he asks, should he be rewarded for this performance with restraints upon his freedom?

Not all will agree that his performance in the public interest has been as good as it should have been; but even granting his contention, he ought to be reminded that the standards of public regulation to which

he and his fellows have been obliged to adhere, and against which he now complains, may have had something to do with it. Withdraw those standards and the individual broadcaster here or there may continue to serve the public interest as well as he's doing now; but there is clearly no reason to suppose that he will serve it better, while there is very good reason to suppose that some of his less responsible fellows will serve it worse.

The broadcasters say they want "a radio as free as the press." They point out that the press is not subject to any measure of public regulation, and profess to see no reason why radio should be treated differently.

But the press is not licensed. The whole fight for a "free press" was the fight against a "licensed press." If the broadcasters were consistent, therefore, they would be fighting against a licensed radio. No one may broadcast in the United States unless he gets a license from the Federal Government. And some degree of public regulation is unavoidably involved in licensing, for by this means the public authority *regulates* who may broadcast, who may not. But this degree of regulation is beneficial to the broadcasters—those who are already favored with licenses—because it gives them preferential and exclusive privileges. It greatly limits

the area of their potential competition. So they're not against regulation—up to this point.

OPPOSE REGULATION

But regulation beyond preferential licensing, regulation to protect the public interest by insuring a reasonable balance of programs and by curtailing exclusive partisanship and excessive commercialism, is not beneficial to the broadcasters; *i.e.*, it's not beneficial to their immediate, short-term interests. It puts a limit—not too severe a limit, it's true, but a limit nevertheless—on the daily production of golden eggs. The business statesman might accept this as beneficial to the common good, and to his own interests in the long run. But not the majority of broadcasters—at least not the vocal majority. They vigorously oppose this degree of regulation.

Which is having it both ways.

Why should radio be licensed? I suggest we approach this question by considering radio's analogy to street railway systems—which may be met with the objection that street railway systems are common carriers, radio is not. I shall come to that differentiation in due course; but in the meantime there *is* an analogy between them, as I propose to show.

Anyone may open a corner store because there are plenty of corners to go around; and, if not enough corners, plenty of storefronts in the middle of the block. There is room for an unlimited number of stores (and newspapers). But there is room for

only one set of trolley tracks in the middle of the street. Hence the public authority must either operate the street car system itself, or limit its operation, by franchise, or license, to one, or at most several private companies. And so with radio. With respect to street cars, the number of rights-of-way (or channels down the middle of the street) is limited; with respect to radio, the number of frequencies (or channels through the air) is limited. If an unlimited number of street car companies were allowed to operate on the same right-of-way, the cars would collide. If an unlimited number of radio stations were allowed to operate on the same frequency, the signals—that is, the programs—would collide.

The man opening the corner store may be as untidy or as inconsiderate as he likes—or gouge his customers to the hilt. But he probably won't, for if he does his competitors will take his business away from him. And if he hasn't any competitors, he'll soon get them.

In issuing an exclusive franchise to a street railway company, the public authority deprives the public of this competitive safeguard. So the trolleys could be as dirty, the service as inconsiderate and the fares as high as the traffic would bear—in the absence of public regulation. And the public would have to bear plenty. It couldn't get disgusted and decide to ride the other line because there wouldn't be any other line. So it is entirely proper that the public authority require, as the legitimate *quid pro quo* for its immensely valu-

able franchise, that the street car company submit to regulation. The public authority is interested in protecting the interests of the public—and this includes, in addition to the provision of good service (which we'll come to later), an assurance that the public will be carried and that it will not be gouged. So the public authority requires that everyone shall be carried, except for cause, and it sets the fares. This makes the street cars "common carriers," as the lawyers say.

But in setting up the American system of radio, the public authority was not particularly interested in the rates that broadcasters might charge advertisers, because advertisers were not the general public, and they could take it or leave it without any direct detriment to anyone. And the public authority definitely did not want to require that broadcasters must accommodate all who applied for their service. The broadcasters couldn't possibly accommodate all. A street car company could be ordered to install additional street cars; but a broadcaster could not be ordered to install additional hours in the day. There are only 24, and that's the end of it. If radio had been made a common carrier, then the broadcaster would have been obliged to adopt the principle of "first come, first served." This would not have enabled him to serve the public interest as a whole, since it would have precluded any efforts to achieve a balance of programs—and the first 24 applicants for his 24 hours might all have been soap opera sponsors.

Thus the radio business, which is very much like the street railway business as regards licenses or franchises, is very much unlike it as regards rate-fixing and the common-carrier duty to carry all comers or at least all that can be carried in the order in which they come.

This leaves one area of the analogy still to be explored, the area of "good service." We have seen that the public authority rightly required street car companies to provide considerate service, which meant service that considered the interests, conveniences, or necessities of all the public. And that became the legal standard—"the public interest, convenience, or necessity." It meant that all segments of the public were to be served, not merely those living on the heavily travelled lines or those who travelled during the rush hours. If travel on the sparsely populated lines, or before eight and after six, showed a cost-accounting loss, that was something the company had to pay in return for the privilege of its franchise. After all, it was deriving its profit from exploitation of public property, the city streets.

PUBLIC INTEREST PARAMOUNT

Here I maintain—and the public authority, in its adoption of the Federal radio law, supports me—our analogy again holds true. The air or the ether, or whatever you want to call it, is public property. Or if someone wants to quibble about that, let us agree, at least, that it is not private property, and that under that

aspect of the prevailing law which the broadcasters themselves want to retain, no one may use it for radio broadcasting except by public permission—which, for our purposes, comes to the same thing. The public authority, in issuing to private individuals licenses for exclusive use of the “air,” required that these private individuals use it in the “public interest, convenience, or necessity.” It did not deny them the privilege of using it in their private interest, as long as that comported with the public interest. In other words, they could make a profit. But it made the public interest paramount.

Obviously, broadcasters could make more money if they did away with the religious, educational and other “public service” programs which cannot afford the high time-rates paid by advertisers, and which can stay on the air only if they continue to enjoy free or, as it is called, sustaining time. Most of them could probably make more money if they broadcast nothing but Musical Clock programs, with “double spotting” of commercials between all records, and Soap Operas, with “cow-catchers,” “middle commercials,” and “hitch-hikes” (which are simply the terms of the trade for more and more and more commercials, in song and prose, frontwards and backwards). But broadcasters have an obligation to cater to the side-street tastes and the off-hour interests as truly as the street-car magnates. It is the *quid pro quo* for their exclusive license to exploit the public air.

What does the public interest, con-

venience, or necessity mean? It would be impossible to set out a sufficiently specific definition to apply to all possible cases, but in individual cases it must either mean something or nothing. If something, some one or some agency must determine what. So Public Utility Commissions were set up to make such determinations with respect to street railway companies, and the Federal Communications Commission was set up to make such determinations with respect to radio.

Under the Communications Act, the government asserts its right to control radio, but delegates the larger measure of control to private individuals, through revocable licenses, for terms not to exceed three years. These licenses are conditioned on their being used to serve the “public interest, convenience, or necessity.” The Act sets up the FCC to make the necessary choices between competing applicants for licenses, and to see to it that successful applicants actually fulfill this condition.

However, in addition to providing for regulation in the public interest, etc., the Act expressly forbids the FCC to exercise “any power of censorship over radio communications” or to “interfere with the right of free speech by means of radio.”

The leaders of the radio industry, despite adverse court decisions, profess to read the “free speech-no censorship” clause as making the broadcaster as free from governmental restraint and regulation as the publisher. If he should choose to make his station exclusively an advocate of

the NAM or the CIO, or of the Ku Klux Klan or the Columbians—as any publisher is free to do—these broadcasters say that, under the free speech-no censorship clause, FCC can do nothing about it; and they hold that this is true even though the partisan broadcaster has the only station, and more, the only available frequency, in town. But it is obvious that this would render the public interest, convenience, or necessity clause, though repeated five times in the Act, quite meaningless.

It should be remembered, in this connection, that if the only paper in town goes all-out for NAM advocacy, or for anti-Semitism, anti-Catholicism, white supremacy, etc., the CIO, the AFL, the Jews, the Catholics, the Negroes, the Mexicans, the Niseis, or whoever, can launch their own papers to champion the opposite view. But if the local radio station were allowed to embark on such a program, those whose interests were injured could not, ordinarily, start another station in competition. The government wouldn't let them—couldn't—there being an insufficiency of air channels.

The argument is advanced that more channels are now available than ever before. Sometimes it's phrased "plenty of channels." There are more, but the number is not even sufficient to meet the present demand. And if the FCC were to relax its ban on exclusive partisan advocacy, as the broadcasters now insist, it is obvious that the demand would inevitably increase. Besides, when one argues that there are now enough, or nearly

enough, potential licenses available to permit free competition, one ought to mean fairly competitive licenses. But most, if not all, of the good frequencies and the high powers have already been staked out. What's left are the 250-watters, the "coffee pots," as they're called. And if the holder of a license which authorizes broadcasting at 50,000 watts of power, 24 hours a day, in all directions of the compass, on a clear channel shared with no other broadcaster, were to be allowed by the government to become the all-out, full-time spokesman for the Ku Klux Klan, one could hardly feel that the government was giving Catholics, Jews and Negroes an even break by offering them a license to operate a 250 watt, dawn-to-dusk, directional-antenna, shared-channel station. A coffee pot can't compete evenly with a cyclotron.

PROGRAM CONTENT

It is the argument of the broadcasters that the Communications Act gives FCC no right to consider "program content," that it limits FCC to technical and engineering supervision; or that, if it does go beyond this, so much the worse for the Act which then becomes unconstitutional in that it abridges free speech and violates the First Amendment. They cite the case of FCC v. Sanders Bros., in which an *obiter dictum* of the Supreme Court seems to bear them out.

But in the case of National Broadcasting Company v. United States, decided after the Sanders case, the United States Supreme Court held:

"The facilities of radio are not large enough to accommodate all who wish to use them. Methods must be devised for choosing among the many who apply. . . . The touchstone provided by Congress was the public interest, convenience, or necessity. . . . The provisions . . . preclude the notion that the Commission is empowered to deal only with technical and engineering impediments. . . . The right of free speech does not include . . . the right to use the facilities of radio without a license."

It is hard to see how the broadcasters can honestly avoid the Court's compelling logic. If Smith and Jones and Robinson apply for the same frequency, FCC is going to have to choose from among them on some basis. What else but their respective proposals as to how they plan to serve the public interest, convenience, or necessity; in other words, their "program promises"? Furthermore, the Communications Act expressly provides that license renewals are to be "limited to and governed by the same considerations and practice which affect the granting of original applications." If it were otherwise, Smith, having got a frequency in preference to his competing applicants, Jones and Robinson, on the basis of his superior program promises, could then proceed to forget his promises and program his station any way he chose. So, on applications for license renewal, FCC cannot avoid consideration of "program performance."

The Supreme Court also makes the point that if the appeal to the First

Amendment were valid, it would involve not merely nullification of the Commission's power to regulate in the public interest but would destroy the whole licensing system. In this case, the Court went on to say: "The Regulations (of FCC, at issue in this case), even if valid in all other respects, must fall because they abridge, say the appellants, their right of free speech. If that be so, it would follow that every person whose application for a license to operate a station is denied by the Commission is thereby denied his constitutional right of free speech." In other words, if anyone has a grievance on the score that his right of free speech has been abridged, it is the Joneses and the Robinsons who were denied licenses altogether, far more than the Smiths who were granted licenses on the not exorbitant condition that they serve the public interest, convenience, or necessity.

The free speech the broadcasters demand is not limited to literal speech; directly or inferentially it includes the whole gamut of program material and economic practice. They want a free radio, and say so. They claim they have a right to it. But they are confused about the source of these rights. There are only two possible sources: the radio licenses themselves, or the Constitution. If these rights derive from licenses, they are necessarily limited by the terms of those licenses. Then the broadcasters have just so much freedom of speech or of anything else as the Congress, through its creature the FCC, lawfully gives them. No more.

If their rights derive from the Constitution, then they are correct in saying that the Congress has no lawful power to limit such rights, because the Constitution takes precedence over statutory law. But rights deriving from the Constitution belong to all who enjoy its protection. In that case, then, the right to broadcast freely, without restraint or limitation, would belong to all the people, not merely to a few thousand broadcasters. And if this be so, the Communications Act is unconstitutional *in toto* and anyone may broadcast anywhere he pleases, on any frequency, at any power. But this would embarrass not only our broadcasters but our government; for the United States has entered into treaties with the other countries of the world whereby we agree to reserve certain frequencies for their use and they agree to reserve certain frequencies for ours. Nevertheless, if the Constitution guarantees a free radio to anyone under its protection, it guarantees the same to all under its protection, and in that case it's too bad for the treaties; for the constitution also takes precedence over treaty law.

IMPOSSIBLE SITUATIONS

Obviously this is an impossible situation, and the only thing we can say is that while the framers of the First Amendment obviously meant its protection to be extended, insofar as possible, to newly discovered forms of speech, of press, of assembly, etc., they couldn't possibly have meant it to cover impossible situations.

Some of the apologists for the broadcasters try to wriggle out of this dilemma by as neat a bit of picking and choosing as you're ever likely to see. They like that part of the licensing system which safeguards the broadcaster's exclusive use of his frequency—*i.e.*, which regulates his potential competitors out of business—but they don't like the necessary concomitant of regulation of program balance in the public interest, convenience, or necessity. And they like that part of the First Amendment which they feel ought to guarantee the right of free broadcast speech to broadcasters, but don't like the necessary concomitant of free broadcast speech guaranteed to all. So they take what they like from each, and very conveniently ignore what they don't like.

As said before, this is having it both ways.

To restate the matter, somewhat more simply, any interpretation by which the Constitution can be held to guarantee free speech to two or three thousand citizens, while allowing it to be withheld from the other 140 million, is obvious moonshine.

FCC has sought to reconcile the "free speech-no censorship" and the "public interest, convenience, or necessity" provisions of the Act by not censoring broadcast scripts in advance, by not telling broadcasters how to select or slant their news, by not telling them what controversial issues to discuss or how or by whom to have them discussed, by not prescribing musical or dramatic selections or composers or dramatists,

etc., but by importing into its scrutiny of the stations' promises or performances its belief that radio is not merely an advertising medium or entertainment medium, that, in addition to commercials and comedians, broadcasters ought to carry some religion, some news, some discussion, some education, some music, some drama.

On the whole, FCC has done a pretty good job of regulating radio in the public interest—it has done the only regulating that has been done in this field at all, and what defects there are have been mainly on the side of leniency, not severity. If FCC regulation goes, the "public interest, convenience, or necessity" goes with it. Do away with this standard and the broadcaster will be free to load his schedule with anti-social partisanship and advertising from morning till night—all kinds of advertising, from extravagant claims for clairvoyants or chiropractors to "realistic" plugs for cathartics or contraceptives.

Because they feared FCC's regulation in the public interest, broadcasters have programmed their stations with a watchful eye on Washington—by their own admission; nay, by their own complaint. True, some of them have done whatever they thought they could get away with; but the point is that there was some limit to what they *could* get away with, as there would not be if FCC were denied the right to consider programs. Even so, radio's public service performance has not been good enough to avoid widespread criticism. Wil-

liam S. Paley, Chairman of the Board of CBS, acknowledged this in his address to the Broadcasters' convention in October, 1946.

He said: "During the past twelve months or more . . . I have been reading and hearing . . . a growing volume of criticism of American broadcasting. . . . The most persistently repeated charge against broadcasters is that we permit advertising excesses. Are we guilty or not? It is my opinion that we are, and I am sure most broadcasters agree . . . when the facts are assembled and weighed . . . we will find that the record of most broadcasters will be a matter of real pride. And I say *most* broadcasters because the record of some is not a matter of pride. . . . Too long now we have tolerated, with too much good nature, the cynical and irresponsible among us."

SELF-REGULATION

Mr. Paley proposed that the broadcasters put their own house in order, which would please FCC, no doubt, as well as everyone else. And of course the more self-regulation takes over the field, the smaller the area requiring government regulation. But even if self-regulation were effective at the present time—which it obviously is not, for there isn't any—there would still be no sufficient reason for destroying the *possibility* of public regulation, as the broadcasters would do if they could. If the industry ever polices itself satisfactorily, FCC can hold its regulatory powers in abeyance against the day when self-regu-

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lation begins to lose its full-scale effectiveness—and the very fact that those powers exist, even though in suspension, may delay and possibly even prevent the arrival of that day.

Besides, to destroy public regulation in mere anticipation of self-regulation would be to buy a pig in a poke. For while self-regulation is the best kind of regulation, where it will work, there are two things we cannot know about it in advance.

In the first place, we cannot be sure it will come. The Program Managers' Committee of the National Association of Broadcasters urged self-regulation in the summer of 1945. In the spring of 1946, FCC chided the broadcasters about some of their abuses in its famous "Blue Book." Mr. Paley delivered his challenging speech that fall. Yet it was the autumn of 1947 before NAB finally got around to tentative adoption of a Code, not to go into effect until February 1, 1948. And then such an uproar was raised within the industry that its effective date was postponed, and it is now generally believed that if it goes into effect at all, it will have to be in emasculated form.

The second thing we can't know in advance about self-regulation is whether it will fully and effectively cover all the ground that needs regulation; in fact, the odds favor the negative. Let's take a look at this in relation to the two leading cases involving license refusal for failure to serve the public interest, convenience, or necessity. In the Brinkley case, the Commission refused license re-

newal because Dr. Brinkley had been using his station largely for the purpose of peddling his various nostrums, chiefly goat glands. In the Shuler case, it refused renewal because the Rev. Bob Shuler had been broadcasting anti-Catholic diatribes. The Commission held that such performances were not in the public interest, convenience, or necessity, and was upheld by the Courts.

Now what could any conceivable method of industry self-regulation have done to bring these wayward broadcasters to heel? The only sanctions for a self-regulatory code that occur to me are exclusion from the industry's trade association, NAB, or as suggested by Mr. Paley, focussing the spotlight of publicity on the offenders. Dr. Brinkley and Mr. Shuler probably wouldn't have joined NAB if they could, and there is nothing that such people like better than publicity—any kind of publicity—the more the merrier.

The self-regulatory code tentatively adopted last fall, and now postponed, contains no sanctions whatever, reducing it to the level of a pious hope. Just before its tentative adoption the FCC chairman casually remarked that, if it were good, FCC might take the question of compliance or non-compliance into consideration in connection with applications for license renewal; i.e., in determining whether a station had been serving the public interest, convenience, or necessity. Remember, he was talking about the broadcasters' own code. Yet a storm of protest immediately arose from the broadcasters, from one end of

the country to the other. They may or may not be willing to adopt a code, as only time will tell; but if they do, it is obvious that they are unwilling to adopt any means of enforcing it against "the cynical and irresponsible" among them, and that they are unwilling to allow anybody else to enforce it either, if they can help it.

If FCC regulation in the public interest, convenience, or necessity had been amended out of the Act 17 years ago as it is proposed to do now, it is clear that Brinkley and Shuler, if still alive, would still be on the air—and no doubt a lot of others who would undoubtedly have imitated them except for the bad end to which they came, with the compliments of FCC.

PROGRAM DETERIORATION

Mr. Paley has admitted that broadcasters have not done as good a job as they should, even with FCC's Damocles sword over their heads; and it is clear that withdrawal of the sword is not going to improve the performance. Each broadcaster will either submit himself to self-regulation or not, as he chooses. And no majority of his fellows will bind him in this respect; he will be completely on his own. It is a foregone conclusion, therefore, that removal of all measures of public program regulation will result in program deterioration—not on all stations, necessarily; possibly not even on the majority; but certainly on a considerable number.

Each broadcaster will then be altogether free to make his choice between good programming with reasonable, or even handsome, profits and bad programming with higher profits. The apologists for advertising may deny this dichotomy, but the facts are against them. It is obvious that mass-appeal programs like "Pot o' Gold" and "Truth or Consequences" attract the big bankroll sponsors more readily than "Town Meeting of the Air" or "The American Forum"; that it is easier to sell an advertiser a soap opera than the Metropolitan Opera; that some programs, the better religious and educational offerings, either have to be carried free of charge or not at all. And in a community where the larger stations have all of the more respectable business sewed up, it might well be that an unscrupulous "coffee pot" operator could make more money selling time to charlatans and hate-mongers than husbanding the legitimate crumbs, if any, left by his competitors. In fact, the experience of Dr. Brinkley and Bob Shuler would suggest that it would pay the charlatans and the hate-mongers—if FCC is forced out of program regulation—to buy into the radio business themselves.

If this comes to pass, cultural, racial and religious minorities are not the only ones that will suffer. Labor will come out on the short end, too, for broadcasters are employers, they are already having their troubles with Petrillo, AFRA, IBEW, and other unions, and they are not likely to forget that their revenues come from

the big advertisers, which means the big employers.

But if the vocal majority of broadcasters get what they're after, they, too, may live to rue it—and all broadcasters with them. Even with radio service as good as it is today, there are nevertheless many who favor the kind of radio system that obtains in most of the countries of the world, government ownership and operation.

If these broadcasters now have their way, and the general level of radio's public service sinks lower than it is, such sentiment is bound to grow.

Broadcasters have a large measure of freedom under our "American System of Radio"—and a large yield of golden eggs, as well. In seeking unlimited freedom they are jeopardizing what they've got. Only a goose would be so foolish.



Blessed are the Meek

"It is evident that meekness and humility are the most excellent of all the virtues which are cultivated and perfected by the body and the soul, and we may learn this from many things; and that there is nothing worse than pride and arrogance we may learn from hearing and reading and seeing. If then, according to the command of the Lord Jesus Christ, thou art meek and gracious, and art of no account in thine own eyes and thy heart is filled with penitence and self-condemnation, then thou shalt find that all men are thy friends, and thou shalt turn the harshness of foes to kindness, and our Lord God shall make thee beloved in the sight of all men."—*Thomas of Marga, BOOK OF GOVERNORS, Bk. i, ch. 13.*



Ounce of Prevention

"The main question is *when* a vigorous anti-depression program should be commenced. The tendency to postpone action until the eleventh hour of crisis disregards the supreme lesson of the last great depression—that it is easier to retain prosperity with mild measures than to regain a lost prosperity with heroic measures. Those in the area of economic policy who do not acknowledge this are as far behind the time as those physicians who remain unaware that the early detection and prevention of disease now weighs more heavily in the scales of the nation's health than surgery or the treatment of epidemics."—*Leon H. Keyserling in the N. Y. TIMES MAGAZINE, June 13, 1948.*

Editorials

The Wage Earner

LAST week the *Wage Earner*, organ of the Detroit Association of Catholic Trade Unionists, announced that it was ceasing publication as a weekly and resuming its former monthly schedule. High cost of publishing is the reason.

This is an unfortunate blow to the working people of the city and to the cause of social justice. The *Wage Earner* always has been an alert, well-edited paper, a vigorous champion of Christian social reform, an implacable foe of Stalinites and other subversives in the local labor picture. Evidence of this is the gleeful gloating with which the Detroit Commie paper, the *Michigan Worker*, greeted the news of the *Wage Earner's* difficulties.

It is greatly to be regretted that the *Wage Earner* has not been more generously supported by the workers to whom it has rendered such invaluable service. But full employment and postwar prosperity have dampened interest in labor's underlying problems. Sad to say, the social conscience of many persons can only be aroused when such real hardship as unemployment is actually present.

Under its new policy of monthly publication the *Wage Earner* will continue its indispensable service of exposing and helping to displace the Communists and their co-operators from positions of influence in the

labor movement. It will continue to keep before Catholics and the public generally the knowledge that the Catholic Church is the strong champion of the workingman in his quest for social justice; that, as Pius XI said, it is never necessary for the worker to embrace Socialism or Communism, or to abandon the Faith of Christ in pursuit of his legitimate aspirations.

We hope the time will come when the *Wage Earner* can again command the support that will enable it to return to its former frequency of issue and thus fulfill its indispensable contribution to the cause of Christian social reform. — THE MICHIGAN CATHOLIC, *Detroit, Mich.*, Nov. 4, 1948.

Home for the Displaced

IT IS good to note that the first of the refugees from battered Europe have now arrived in the United States and that the humanitarian work of mercy has actually begun. Eight hundred and thirteen persons arrived this week in New York from Germany by Army transport. These are the first of an eventual 205,000 to be admitted.

Among the 813 homeless men and women were 523 Catholics, or 65 per cent of the total. They are to be settled through nineteen States.

The Catholic contingent was met by Cardinal Spellman and representa-

tives of several Catholic welfare agencies. The work of assisting the Catholic DP's in taking root in their new home is directed by Monsignor Edward Swanstrom of National Catholic Resettlement Council and the task will continue until all of the victims of the war have been given new homes and a new chance to live out their lives in peace.

All this is a work of mercy, and is part of the noble traditions of America. Yet, it is not only the DP's that benefit, for the country will be the stronger through these new citizens. Forty-five different occupations and professions were represented in this first group. They are an energetic and grateful people and they continue in a new era the story of the emigrant contributions to America of the past generations. This is a hopeful and happy beginning of a new chapter in American progress.—*THE CATHOLIC SUN, Syracuse, N. Y., Nov. 4, 1948.*

Soviet Sincerity

THE language of M. Vishinsky in public debate is but one more chapter in the long story of Soviet ineptitude in prosecuting their own interests. There was perhaps never a Government which so gratuitously threw away goodwill, so needlessly raised barriers to the fulfillment of its ambitions or obscured the elements of reasonableness in its own arguments.

But even worse than Vishinsky's rantings and roarings was the recent, inane statement of Stalin himself in

which he accused the United States, Britain and France of deliberately pursuing a "policy of aggression" aimed at "unleashing a new war" against the Soviet Union.

Who, may we ask, partitioned Poland on September 19, 1939, in full partnership with Nazi Germany?

And who, in November, 1939, boldly attacked Finland?

Who, in March, 1940, annexed 16,173 square miles of Finnish territory?

Who invaded and absorbed Lithuania and destroyed its independence in August, 1940?

Who seized Latvia on August 5, 1940?

Who annexed Estonia on August 6, 1940?

Who took unto itself parts of Rumania in 1944? And who annexed part of Mongolia and East Prussia and set up puppet regimes in Poland and Albania in 1945?

Who took over Yugoslavia in 1944?

Who executed the political coups in Hungary in 1946 and Czechoslovakia in 1948?

Who sent food and raw materials to Germany while Hitler was fighting France and England and who forced the French Communists not to fight for their native land even though attacked by Hitler?

Who forbade Czechoslovakia to attend the Marshall Plan Conference at Paris in June, 1947, forcing her to cancel the acceptance which Foreign Minister Jan Masaryk already had sent?

Did not the Potsdam agreement, signed by Russia, declare that "the

final delimitation of the German-Polish frontier should await the peace settlement"? And has not Russia already fixed the Oder-Neisse line as the Polish frontier and helped to take over that area, insisting that its decision is irrevocable?

Did not the Potsdam pact, signed by Russia, stipulate that German reparations payments should leave enough to enable the German people to subsist without help from outside? And has not Russia taken large amounts of reparations from current production, absorbed a substantial part of German industry in the Soviet zone into Soviet state-owned concerns and otherwise exploited and drained German resources so as to leave her an enormous burden on U. S. taxpayers?

Did not Russia agree on May 24, 1946, that each of the occupying powers submit reports on reparations and removals from their zone? And has not Russia refused to submit a report on any reparations removal from its zone?

Did not Russia agree at Potsdam to treat Germany as a single economic unit? And has not Russia steadfastly refused to comply, thus making it impossible for Germans to be self-supporting?

Did not Russia agree at Yalta to assist the peoples liberated from Axis domination and help them solve their problems by democratic means? And has not Moscow crushed all democratic parties in Hungary, Rumania, Yugoslavia, Czechoslovakia, Albania, Poland, etc., and set up satellite states, exiling, jailing and murdering

opposition leaders? Has not Russia refused to work out a peace treaty with Austria?

Was it not Russia that went back on its signed word at Moscow, 1945, to consult with "Korean democratic parties and social organizations" to set up a provisional Korean government? And has not Russia armed North Korea and organized there a Soviet police state?

Who violated the Teheran protocol by setting up a communist rebel regime in the Iranian Province of Azerbaijan, violating both the sovereignty and territorial integrity of Iran? And who defied the United Nations to take action in the case and then walked out when things went against her?

Did not Russia agree, in the Chinese-Russian Treaty (1945), to render to China moral support and aid in military supplies and other material resources, such support and aid to be entirely given to the National government as the central government of China? And did not Russia agree in the same treaty to regard Manchuria as part of China, and that the administration of Dairen should belong to China? And did not Russia fail to send even a penny of the promised supplies to China? And did not Chinese Communists, equipped with Japanese arms, take over Manchuria with Soviet acquiescence? And, when Chinese Nationalists appeared to take over Dairen, did not the Russians deny them the right to land?

Who used her veto twenty-six times to prevent the overwhelming majority

in the United Nations from taking action to which she alone objected? Who used her veto eleven times to refuse admission of new members, using this as a lever to force in satellite states? Who refused to cooperate with the United Nations by boycotting all but two of twenty-seven United Nations committees and commissions, thus hindering world peace and recovery?

Who, Mr. Stalin? Russia!—THE MONITOR, *San Francisco, Calif.*, Nov. 5, 1948.

What Price Children?

IN THE age of the Patriarchs it was considered a blessing to have children. Times have changed. More correctly, man has changed his idea of values.

To have children today is a hardship. There are too many people who do not like to have them around, people who in their selfishness forget that they were children themselves at one time.

Specifically, we are thinking of a vast number of landlords or property owners who post ads and signs "No children!"

Children are little. They cry and whimper. They pull up flowers, mark on walls with crayons and break things. They play ball in the streets and vacant lots, make lots of noise. They disturb people who are already adults.

Yet, Adam and Eve were the only two people who had no childhood as

far as we know. That means that every other adult that ever lived or who is now living was a child at one time. We cannot forget this fact.

It is not, therefore, an evil or a misdemeanor to be a child. It is a natural necessity. Why should we or anyone hold it against a child for being a child or for acting like a child? Why should we hold it against parents or make it more difficult for them just because they have children?

There are many times when adults do not make much sense. An adult refusing housing to adults because they happen to have children, makes even less sense.

It is difficult to imagine a grown up child (and that is what an adult is) demanding prospective tenants to sign an agreement that they will not have children as one of the conditions for getting a house or an apartment.

It is a shame to see fathers and mothers and families wandering the streets homeless because landowners and managers refuse to rent an empty house or apartment to couples with children.

This paper is willing to offer free space to run listings of rentals for only those with children. We have to give children some kind of a break. God loves children because He makes so many of them. Why shouldn't we love them also?—THE SOUTHERN CROSS, *San Diego, Calif.*, Dec. 17, 1948.

Documentation

For a United Europe

HIS HOLINESS, POPE PIUS XII

Address to a group of 300 officials and delegates of the Second International Congress of the European Union of Federalists at Castel Gandolfo, November 11, 1948.

GENTLEMEN, We very deeply appreciate this gesture of yours. It proves that you have understood and esteemed the persistent efforts We have been making, without respite, for the past ten years, to bring about a *rapprochement*, a sincere and cordial union between all the nations. For this accept Our thanks.

It was precisely this preoccupation which prompted Us, on the second of June last, to speak in favor of a European union. In doing so We were quite careful not to involve the Church in purely temporal interests. The same reservation is likewise indicated when it comes to knowing what degree of likelihood or probability to assign to the realization of this ideal: the question of how far ahead it is still, or how close at hand.

That the establishment of a European union presents serious difficulties no one will gainsay. At first sight the argument might be advanced that before such a union can be made psychologically acceptable to all the peoples of Europe, they must be accorded a certain period of delay to rid themselves of the memory of all that happened during the last war. Yet there is no time to lose. If it is intended that this union shall really achieve its purpose, if it is desired to make it serve

to advantage the cause of European liberty and concord, the cause of economic and political peace between the continents, it is high time it were established. Some are even asking themselves whether it is not already too late.

Why, therefore, require that the memory of the war be first allowed to become blurred in distant retrospect, at a moment when contrariwise its aftermath, a painful experience, still affords encouragement for these peoples of Europe to lay by once and for all their selfish national prepossessions, the source of so many jealousies and so many hates; when the results of war serve them as a spur to provide for their legitimate defense against any policy of violence, open or disguised?

There is one case in point which cannot be too strongly emphasized: the abuse of a postwar political predominance with the aim of eliminating economic competition. Nothing could be better calculated to poison beyond hope of cure the work of bringing the nations together in mutual agreement.

The great nations of the Continent, with their long history freighted with memories of glory and power, may also impede the constitution of a European union, exposed as they are, if they are not careful, to measure themselves by the standards of their own past rather

than by those of the realities of the present and of the foreseeable future. That is just why they are expected to disengage themselves from thoughts of their former greatness, to bring themselves into line with a higher political and economic unity. They will be the more inclined to do so if they are not forced, by an exaggerated quest for uniformity, to yield to a process of levelling. Respect for the cultural characteristics of their peoples, leading to harmony in the midst of variety, will conduce to a smoother and more stable union.

MORAL FOUNDATION

Whatever be their value, all these considerations and many others besides yield in interest and importance to one question, to *the* fundamental question which inevitably presents itself in the matter of European reconstruction, and from which We have not the right to deflect Our attention.

No one, We believe, can refuse to subscribe to this statement: that a united Europe, if it is to maintain its equilibrium and settle disputes over its own continent—to say nothing of its influence on world security and world peace—has need to rest on an unshakable moral foundation. Where is this foundation to be found? Let history answer. There was a time when Europe formed, by virtue of her unity, one compact whole, and in the midst of all her weaknesses, despite all her human failures, this unity brought her strength; it enabled her to accomplish great things. But the soul of this unity was religion, which permeated the whole of society, to its very heart, with Christian faith.

Once culture is detached from religion, unity disintegrates. In the long

run, spreading slowly but continuously like a stain of oil, irreligion has been penetrating deeper and deeper into public life. It is to irreligion above all that this continent owes its discord, its sickness and its forebodings.

If then Europe wants to be quit of these woes, must she not put back in its place, within her own home, the bond between religion and civilization?

This will explain why We were so pleased to read, at the beginning of the resolution agreed to by the Committee on Culture, following the Hague Conference of last May, the mention of "the common heritage of Christian civilization"; yet that does not go far enough, since it falls short of the express recognition of the rights of God and of His law, at the very least of the natural law, the solid ground to which the rights of man are anchored. Isolated from religion, how can these rights and liberties insure unity, order and peace?

WHENCE THE LEADERS?

And can one further neglect to list among the rights of man those of the family, of parents and children? United Europe cannot be built upon a mere abstract idea. She must needs depend for support on living men. Who will they be? Hardly the former statesmen of the old European powers. They have disappeared, or no longer wield any influence. Still less will they be the components of a mass, such as we defined it in our Christmas message of 1944¹: true democracy, with its ideal of wholesome freedom and equality, has no more formidable adversary.

It remains then to ask ourselves where the most insistent summons to European unity will come from? It

¹ cf. CATHOLIC MIND, Feb. 1945, pp. 65-77.

will come from men who sincerely love peace, from men of order and tranquility, from men who—at least intentionally and of their own free will—are not “uprooted,” and who find in respectable and happy home life the primary object of their thought and enjoyment. These are the people who will carry on their shoulders the edifice of united Europe. As long as no heed is paid to their appeal, nothing will be done that can endure, nothing that can measure up to the crises of our time.

But, We ask Ourselves, will the necessary comprehension be forthcoming under present circumstances, that sym-

pathetic understanding without which every attempt is sure to fail? Here is the great problem. It demands a solution if European union is to be achieved.

Thanks be to God, the movement already counts among its members, and is gaining over to its cause, so many honest men, so many generous men, that We shall not weary in the hope that the real remedy for the ills of this continent will at last be found. In any case, with the keenest sympathy We pray the Father of Lights to enlighten you, to assist you in your work and to bless the endeavors you are concentrating on the peace for which the world is longing so ardently.

Education and the Modern Environment

HIS HOLINESS, POPE PIUS XII

A radio address to the Inter-American Congress on Catholic Education held at La Paz, Bolivia, October 15, 1948. Reprinted from the BULLETIN of the National Federation of Catholic College Students, November, 1948.

AMONG the serious and multiple cares imposed upon Us by Our universal paternity, We have always considered as a principal one that of giving special attention to whatever in any way refers to youth.

How then could We allow this occasion to pass without directing a few words precisely to you who are the educators of the future generations of a whole continent that is called upon to play such an important role in the history of our troubled times; to you who have come together in an Assembly which, because of the many countries

represented, the quality of the representatives and the purpose intended, can be considered, as of now, a fundamental step in the history of Catholic pedagogy in the New World?

ENCOURAGES ORGANIZATION

May Our most fervent prayers reach unto the throne of the Most High that from this Congress there may come forth, definitely organized, a Confederation whose purpose is to see to it that the education of youth in all the American countries is carried on, conscientiously and efficaciously, in ac-

cordance with the wisdom and experience of the Church in matters of teaching and especially with the norms promulgated by this Apostolic See.

In this way it may rise to that dignity and that splendor that must impel the authorities and citizens of your respective peoples to recognize the liberty and to grant the respect to which the teaching institutions of the Catholic Church have the right.

But this Congress of yours has still another attraction: the theme which you have so wisely chosen for your deliberations: "Education and the Modern Environment."

DEFINES EDUCATION

The essence and the goal of education—to use the expression of Our immediate Predecessor—consist in collaboration with divine grace for the formation of the true and perfect Christian.

In this perfection is included the ideal that the Christian, as such, be in condition to face and to overcome the difficulties and to correspond to the demands of the times in which it is his lot to live.

That means that the work of education, since it must be carried on in a specific environment and for a specific background (*milieu*), must constantly adapt itself to the circumstances of this background, and of this environment wherein this perfection has to be obtained and for which it is destined.

Therefore, against the pernicious attempts of those who would completely separate religion from education and from the school, or who would at least place the school and education upon a purely naturalistic basis, set the ideal of a work of teaching that is enriched by the inestimable treasure of a sincere

faith vivified by the grace of Our Lord Jesus Christ.

See that your children and your youths as they advance in age receive religious instruction that is accordingly more ample and more deeply-established; not forgetting that both the full and profound consciousness of religious truths, as well as the doubts and difficulties, usually manifest themselves in the last years of higher studies, especially if the student has come into contact, as can hardly be avoided today, with persons or teachings that are contrary to Christianity.

For this reason, religious instruction demands with every right a place of honor in the programs of universities and centers of advanced studies.

See to it that with this instruction there go, closely united, the holy fear of God, the habit of undistracted prayer, and the full and intelligent participation in the spirit of the Liturgical Year of Holy Mother Church, the source of countless graces.

BUILD CHARACTER

But in this work, act with caution and prudence, so that it will be the youth himself who will always be seeking something more and, little by little, working by himself, will be learning to live and to practice his life of faith.

Counteract the lack of principles of the world today, which measures everything by the criterion of success, with an education which makes a youth capable of discerning between truth and error, good and evil, right and injustice, planting firmly in his soul the pure sentiments of love, fraternity and fidelity.

If the dangerous motion pictures of today, appealing as they do only to the senses, and in an excessively one-sided way, carry with them the risk of pro-

ducing in souls a state of superficiality and of spiritual passiveness, the reading of good books may supplement what is here lacking, thus playing an ever more important role in the work of education.

To the exaggerated importance that is accorded today to whatever is purely technical and material reply with an education which always gives first place to spiritual and moral values; both to the natural and, above all, to the supernatural ones.

The Church, without any doubt whatever, approves of physical culture, if it be in proper proportion. It will be in such proportion when it does not lead to a worship of the body, when it is useful to strengthen the body and not to dissipate its energies, when it serves also as a recreation for the spirit and is not a cause of spiritual weakness and crudeness, when it supplies new incitements for study and for professional work and does not conduce to their abandonment or neglect or to disturbance of the peace that should reign in the sanctuary of the home.

CITES NEED OF SELF-CONTROL

Immoderate pursuit of pleasure and lack of moral discipline likewise seek to invade even the ranks of Catholic youth, trying to make them forget that they bear within themselves a fallen nature weighed down with the sad legacy of Original Sin.

Counteract this with the education of self-control, of sacrifice and of renunciation, beginning with smaller things and gradually going on to greater ones; education of fidelity in the fulfillment of one's own duties, of sincerity, serenity and purity, especially in the years of development into maturity.

But never forget that it is impossible to reach this goal without the powerful help of the Sacraments of Confession and of the Most Holy Eucharist, whose supernatural educative value can never be duly appreciated.

Develop in the souls of children and youth the hierarchic spirit—which does not deny to each age its proper development—so as to dissipate, as far as possible, this atmosphere of independence and excessive liberty which our youth breathes in today and which would lead it to throw off all authority and every check.

Try to arouse and to mold a sense of responsibility and to remind them that liberty is not the only one among all the human values, although it is numbered among the foremost, but that it has its limits, intrinsic in the unescapable norms of decency and extrinsic in the correlative rights of others, both as regards the rights of each one in particular as well as the rights of society in general.

OTHER AGENCIES

Finally, since the education of the child and the youth must be the result of the common efforts of many coordinated elements, give all the importance it merits to cooperation and agreement between the parents, the school, and the organizations which help the school and which continue its work when the students leave school, such as Catholic Action, the Marian Congregations, study-centers, and other similar institutions.

Not rarely the parents themselves need special help, since oftentimes they have not themselves received the necessary preparation for the exercise of their educative duties; and upon a good understanding with them will or-

dinarily depend the success of education, however good the schools may be, and even though the teachers be the best.

We take this opportunity, dear sons, to express Our paternal satisfaction with the real progress made on the road toward your ideal. With pleasure We point out to all, as an example and a stimulus, those countries which have taken the lead in this work of the Christian education of youth.

ATTITUDE OF THE STATE

We manifest, at the same time, Our hope that the governments of your countries will come to recognize more and more the value, and still more the almost irreplaceable character of your work in education and in teaching, and will willingly allow you every opportunity and facility to train a good nucleus of men and women teachers, who will be as faithful as Catholics as they will be excellent professionally, members of Religious Orders and lay-people as well.

We likewise trust that the public authorities, in cordial cooperation with you, will bar from the press and from the screen everything that might be a cause of scandal or ruin to youth.

Thus, the Christian ideal of education is identified with the latest findings of psycho-pedagogical science, surrounding it with a light which perfects it and facilitating the educative process with the complete and fruitful development of the individual personality.

Your meeting is now taking place in La Paz, the "noble, valiant, and loyal,"

the "illustrious and intrepid," and coinciding precisely with so notable a date as the fourth centenary of its founding. La Paz! (City of Peace!) Educate, beloved members of this Congress of La Paz, and educate for peace!

In your hands the souls of your pupils are like wax to be molded; make them integral and conscientious Christians and you will have contributed in the best way possible for the peace of the future!

Lift up your eyes to the white peaks of Illimani, that point up toward heaven for you; cast your glance over the tranquil, smiling and abundant valley where La Paz is seated as in a little paradise; see how serenely flow the swift waters of the Choqueyapu, which come down fresh from the mountain to the sea. Let your souls drink in deeply these sentiments of elevation, of serenity, of love and of peace and afterwards carry them back to your Institutes, to your classrooms, to your youths and to your little ones so that they may become better than their brothers of yesterday and so that finally there may reign in the world charity and concord.

With these sentiments and with these desires We bless you with a special warmth of Our paternal affection, that the meekness and the goodness of the Most Holy Virgin and the ardent charity of the Most Sacred Heart of Jesus may descend upon all those present, and in a special manner upon those called to the very high calling of teaching, strengthening their wills and enlightening their minds all along the path, at times difficult, of their labor of abnegation.

Education in Hungary

Text of a joint pastoral of the Hungarian Hierarchy issued September 1, 1948, and read in all Catholic churches as the schools opened.

BELOVED Parents: As year after year the doors of the schools open and as growing youth sings in our churches with clear and yearning voice the "*Veni Sancte*," a certain anguish, despite all confidence, grips the heart of the responsible father and mother. Above the heads of the school children lingers the great question of the Bible: "What then will this child be?" (Luke 1,66).

At the beginning of the school year for 1948-49 this anguish and the seriousness of this question increase and lie like a heavy piece of lead on the hearts of millions. This school year is quite different from all preceding ones. This is the first year that those who for almost 1,000 years have stood beside the Hungarian child in the school are no longer there. That spirit in education, originating from Divine Revelation, which in difficult times was alone capable of reassuring anguished parents, and which was a well-tested basis for the education of youth and a foundation guaranteeing the future for Church and country, no longer exists in our schools.

There are some who, spurred by outside forces, object to the fact that priests and monks do not teach in the recently nationalized schools. For this they blame the Church and ecclesiastical authorities respectively. They forget that priests and monks of the Church may only educate in the spirit of Christ and of the Church. This follows from their mission and character as priest and a monk. Up to the

present they could accept and fulfill the task of teaching in schools, because they thereby exercised their vocation. Now, since they cannot teach in conformity with their philosophy and their vocation, they cannot continue their activity. They would be contradicting themselves. The confiscation of the schools has been carried out primarily to eliminate the spirit of Christ in education. As a result, the expression of this spirit will not be possible in the confiscated schools, except in religion classes where religious doctrine will be taught.

The State did not ban the Church's educators from the schools; in declarations addressed to the public, it even wished to keep them. Yet developments rendered their staying on morally impossible.

Besides the basic principles referred to above, we wish to dwell on two other considerations.

I. When the Japanese Emperor in the 17th century wanted European missionaries to take their first step on Japanese soil by treading on the Crucifix placed on the ground before them, the pagan Mikado and his ministers did not prohibit the Europeans from stepping on Japanese soil. They merely dictated conditions, created a situation equivalent to prohibition. Nevertheless, a few Europeans entered Japan. But the missionaries and Catholics could not, and did not, enter at the cost of treading on the Crucifix. After our schools were confiscated, the priests, monks and nuns of the Church could

have crossed the threshold of these schools only by treading on and renouncing unalterable, eternal principles. These principles are: the Church's divine right to teach—one also established as a historical right in our country for nine and one-half centuries; the right of parents to choose their school; and the seventh and tenth of the Divine Commandments. The present attitude of the world is careless enough regarding these three principles; however, we consider them as eternally valid.

TRADE UNIONS

II. The Communist party declaration of May 9 demands "the enlisting of the trade unions and of other social organizations of the workers in the direction and supervision of education." We already had experiences of this in the past school year. Further on, the declaration gives a clear picture of the future: "The party of the Hungarian workers, the Communist party, professes the ideology, the basic principles of Marxism-Leninism; it applies and develops the doctrines of Marx, Engels . . . it consistently fights against any deviation from the Marxist-Leninist conception of the world," and strives for "the defeat of the remainder of prejudices" in the schools.

The party of those who made this declaration possesses today the directing and decisive power in Hungarian public life. If they wish, therefore, according to their own words, to work together toward achieving direction of education and expressing in it the philosophy of Marxism-Leninism, they have the power to do so.

What is Marxism? Let the answer be given by the Marxists themselves. In a book published in Moscow in 1947

—written by Lenin and with the title *Marx, Engels, Marxism*—the following can be read: "Marxism is materialism. As such it is an inexorable enemy of religion. Its basis principle is: religion must be fought, religious belief must be destroyed. Just as materialism is atheistic, godless; so Marxism is decidedly hostile to every religion. The entire education, training and teaching of today's youth must aim at training this youth in conformity with communist morals." (*Literature Published in Foreign Languages*, Moscow, 1947: pp. 224-36.)

This is the Marxist credo!

In this credo there is neither God nor an immortal soul; there is no revelation, no supernatural truth; no Ten Commandments; no Church, no Sacraments, no prayer. All these are not only denied by Marxism, but—as we have just heard—even fought against. Instead of the ethics of the Gospel, materialistic education aims at communist morals.

We ask: Can monk or nun collaborate in such education? Can he or she take part in the work of such irreligious education directed toward carrying out the above instruction? Every thinking believer can have but one answer: No! And if the nationalizers of our schools contradict what has just been said by saying that nothing of the like was and is demanded from the monks, then what was the purpose of taking away their schools? Why did they not leave them their colleges, enabling them to continue teaching and training in the spirit so well tested during the centuries and recently so praised even by the nationalizing side?

The critics also ask: If Act No. 33:1948 gives the cabinet council, on ministerial proposal, the right to make

an exception in regard to certain ecclesiastical schools and leave them to their former owners, why doesn't the Church take back some of her schools? We reply that such an offer has reached us verbally and in writing on behalf of the ministry. The invitations were accepted and complied with. But they gave us back not one single school, though they could have done so. They might have said: "There, we leave you the following fifteen schools." However, they did not do this, but wished to stipulate conditions whose fulfillment would have meant the abandonment of our principles. The Church will not have even her own schools at the sacrifice of principles. The body of Catholic educators can be neither the agent for, nor the immediate, responsible and active participant in, nor the inactive observer of, an education not approved by the Church.

ANTI-RELIGIOUS

Even if these officials were to promise that the school would not be anti-religious but remain neutral and that, if our monks and nuns were to continue teaching, they would not get into conflict with their conscience, we ask: where is our guarantee for all these promises? A half-century ago the fight against ecclesiastical schools began in France and it was proclaimed there, too, that no harm would come to religion but that the schools would remain strictly neutral. Yet, the Minister, Viviani, admitted in 1906: "The neutrality of the schools is but a diplomatic lie and a hypocrisy inspired by circumstances. We refer to it in order to drug the anxious and fearful, but today it is no longer the case. Let us play with cards on the table. We never had any other aim but to form an anti-

religious opinion; i.e., an active, fighting and combatant godlessness." (*Le Correspondance*, Feb. 10, 1906, p. 449.) Has materialism, has godlessness become tamer after four decades?

All that has been said above gives us a twofold picture. Inwardly, the new school is not the school of revelation, of Our Lord Jesus Christ, of the Church founded by Him, of the Catholic family, of our King, St. Stephen, nor of our ancestors reposing in the cemeteries. There always were deep ditches around the cemeteries, but now gaping rifts have been opened between the world of our ancestors and our world, between their education and that of our children. The aim of the school of the past was to form a good Christian of the child, one who worships God, serves and obeys Him and thereby wants to obtain salvation. The child thus became a good brother and a good Hungarian. Instead of this, the Government today expects the school to provide a certain social and political outlook. (*Parliamentary Journal*, June 16, 1948, p. 449.)

Outwardly, by eliminating the traces of Christian culture through removal of the statue of Mary, of religious pictures, other statues and often even the Crucifix, the religious spirit is restricted and confined to only two religion classes a week. In the past, whether there were four or only two religion classes a week, the entire teaching was pervaded by the religious spirit. In the future—even if competent teachers remained in the schools—the icicles of benumbing, cold indifference would replace religious life and cordial warmth during the remaining twenty-eight to thirty lessons.

As we have said, even this attitude would remain only for a short time and then a still more detrimental situ-

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ation would prevail. What is built by the two lessons—a protecting sword in one hand and a tool in the other—will sooner or later be confronted with the program of the new school. There is no doubt that the school—the school of the Church and the State—has been deprived of the work of forming a religious character. The relationship between the natural and supernatural, man and God, time and eternity as a whole, has been dissolved; and, with solicitude for only the trifling, that which is infinitely higher is disregarded. The stamp of Christ's dear Blood on the human soul is no longer considered. It is dreadful that, according to their own declarations, they see in the human soul only the future party member and party man. The school principals, teachers, curricula and books of today's school prompt us to ask: What will become of the child? What will happen to the child? Whenever new life is born on Hungarian soil, the mother's first sigh will be uttered for the ecclesiastical schools.

Let us dry the tears of the parents and let us save the immortal souls of the children!

DUTY OF PARENTS

Though the Government has taken away our ancient, strong fortress, the church school, and has inflicted a never-healing wound, our fortifications—the Catholic family, the church and the parish—still stand. And the fighting warriors manning these fortifications, their divinely assigned guards, are you, beloved parents.

In two short sentences the Church points out the personal and holy duty of the parents regarding the children's education:

1. It is a most important duty of

parents to provide to the best of their ability for the religious and moral, physical and civil education of the child. (*Canon 1113*)

2. The Christian education of the child is not only the right, but the grave duty of the parents and their substitutes. (*Canon 1372, sec. 2*)

This, parents, is what is resting on your shoulders!

A. In the family: Not even the school that taught in the spirit of religion was able to dispense with education in the home. If, therefore, the church school is stepping out of the field of religious education, the importance of religious training in the family increases beyond expression, and the believing parent, so to say, trembles under this knowledge. How many parents, having lost patience, have said in the past when prayers had to be taught: "There is the school, make the child learn his prayers at school!" This attitude never was, and is especially today not justified. The child no longer finds the monk-teacher, the nun and the religion teacher. The time has come when fathers and mothers must take over the duties of religious education.

Let parents take over this role with self-sacrifice just as great as was their heroic persistence in fighting for, and striving to keep, these educators. Today, the entire task and responsibility of conscience will gradually be shifted to their shoulders. The teaching of prayers must become more serious, deeper and more careful; the example of parents in religious life must be more conscious. The teaching of religion in the schools—because of its restricting limits, increasing difficulties and want of textbooks—is unable to instill into the soul of the child the entire Catholic faith, there to form it

into the substance, the basis and experience of life. In the afternoons and on Sunday evenings parents must study the catechism and the Bible with their children. These religion lessons in the families will bring back to fathers and mothers their dear years of happy infancy, when their little souls, impressionable as wax, admitted the soul-conquering figures of the gentle Jesus and our Blessed Holy Virgin.

The memory of these long past years will help us not only in learning the sublime doctrines of our sacred faith but also in living them together with our children. When we teach, we also learn; when we form, build souls, we are also formed and built, "until we all attain to the unity of the faith . . . to perfect manhood, to the mature measure of the fullness of Christ." (Eph. 4,13) In these religion lessons in the family the spark of the parental heart, with all the intimate happiness and flaming love of God, will pass over into the soul of the child. The innocent charm of the soul of the child, on the other hand, will be conveyed into the souls of the parents, worn out by life and its trials. The blessed union of St. Anne and the little Holy Virgin, of the King, St. Stephen, and the Duke, St. Emery, will thus be renewed in our families.

B. In Church: It is the hearth, the sign of the community of believers, carefully avoided by unbelievers. The cross on the towers above the city, the village and the farm points to heaven; the flickering light of the eternal lamp leads to Jesus. Our ancestors have stepped and knelt on the threshold, on the floor and on the stairs of the church, thereby showing us this only way of life. In our prayers let us whisper those offered by them so long ago but still so living and sublime.

Let us take this church into the kindled love of youth.

PARTICIPATION IN RELIGIOUS EXERCISES

Let us introduce our children to religious exercises and then let us vigilantly see to their participation. Let holy Mass, consciousness in our faith of the infinite value of Christ's Sacrifice, purification from our sins, union in Holy Communion with Christ, be the common breathing of the faith of parent and child. Those families are united which are similar not only in blood but also in the living of their sacred faith.

C. In the Parish: It is the legal community of believers, and today almost the only place where youth lives its social life on a religious plane, in the body and in the maternal arms of the Church, and where it strives for higher ends. The work of our school associations, which formerly flourished, has also become more difficult. Just as carefully as the Catholic parent keeps youth, unexperienced in dangers, from boisterous circles not suitable for it and alien to Catholic and Hungarian ideology, just as effectively must we direct and send our children to the parish youth groups. There they will go on remaining faithful to God, to the Church and to the country.

Beloved parents, do not say faint-heartedly that you have not studied theology and pedagogy and that you are full of worries and troubles anyway. In order to help you comply with your family priesthood also in this respect, we order our priests and catechetical teachers to advise parents in sermons and lectures on how to fulfill the task of educating their children—a task more difficult than diamond-

cutting—and on how to approach the infinitely tender soul of a child. Do not neglect to attend these instructions and to follow them. There are divine gifts in the parental soul that are granted only to parents, and especially to mothers. There exists not only a self-sacrificing motherly love; but parents are also endowed with professional grace, obtained at the wedding altar, by which they can educate the little life under their heart, the child placed in their arms and put under their charge—for God. He Who gave the natural power to bring forth new life also dispenses grace that parents may become partakers in the "royal priesthood," (*1 Peter* 2,9) but always in cooperation with the priest of the Church, the representative of Christ's family, and finding completion in his sacramental power.

CHURCH OF CHRISTIAN EDUCATION

This is what Pope Pius XI states in His encyclical on the education of youth: the Church and family form one and the same church of Christian education. Both are the soil of the fear of God and of respect for authority—and of both our present age is so badly in need.

With a trust that is an honor, God puts the parent in charge not only of the body of the child, but also of its immortal soul. Every parent is responsible before God for the eternal salvation of his child. On Last Judgment day the Lord claims back this soul with the well-known words of the Gospel: "Make an accounting of thy stewardship!" (*Luke* 16,2).

"Do you not know that you are the temple of God?" (*1 Cor.* 3,16-17). Constantly conscious of this duty and never, not even for a moment, being

forgetful of it, parents, educate your children in the family to be Christians by teaching them your Catholic life and giving them a guiding example of it.

Pray with your children and for your children!

Appear with them each Sunday and holiday at the great Sacrifice in the house of the Lord. Approach the table of the Lord together and as often as possible.

Father! Mother! Be vigilant, constant, never-sleeping guards of your children! "Watch and pray, that you may not enter into temptation!" (*Matt.* 26,41.)

You are Catholics and you educate for the Redeemer and for the Church, and for no one else.

You are the people of St. Stephen! Multiply the lines of Hungarian generations in accord with his doctrine of national education.

Beloved parents, the God-fearing education of our youth is the sacred common interest of Church and country. We, therefore, order that, from the beginning of the school year, after each holy Mass and after the prayer ordered by Pope Leo XIII, one Our Father and one Hail Mary be said for the God-fearing education of our youth.

This is a question of the existence or non-existence of faith, at least in the life of your children. Through teaching and example we must preserve Christianity for the life of the coming generation. Teaching and example—these two will give to God and country girls and boys strong in the faith and faithful to our Church. In that way ". . . we may be now no longer children, tossed to and fro and carried about by every wind of doctrine devised in the wickedness of men, in

craftiness, according to the wiles of error. Rather are we to practise the truth in love. . . ." (Eph. 4,14-15.)

With God's grace, and with the help of the Church, the parents will solve the great question posed at this year's "Veni Sancte." "And the child grew and became strong in spirit . . . until

the day of his manifestation to Israel." (Luke 1,80.) "To have Christ dwelling through faith in your hearts: so that, being rooted and grounded in love. . . ." "To Him be glory in the Church and in Christ Jesus down through all the ages of time without end. Amen." (Eph. 3,17 and 21.)



Father of the Blind

"Christ opened the eyes of the blind; and thereafter there were centuries when little was done for them. Little was done until 1784, when Valentin Haüy, a Catholic, opened in Paris the first school for blind youths. In 1785, the city was electrified by an exhibition he arranged for his pupils. Public support made possible his founding of the National Institute for the Young Blind—first educational institution of its kind in Europe. Haüy first conceived the idea of putting eyes in the fingers of the blind by teaching to read by touching raised characters. He inaugurated also the instruction of the sightless in vocal and instrumental music. His orchestra, with its chorus of children born blind, stunned France at the Corpus Christi processions and in the chapel of the Tuilleries. Haüy died in the arms of his brother, Abbé Haüy, March 18, 1822, having earned well the title, Father of the Blind."—William F. Jenks, C.S.S.R., in *THE PRIEST*, October, 1948.

THE CATHOLIC MIND

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